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REPORTS

FROM

COMMISSIONERS, INSPECTORS,

AND OTHERS:

THIRTY-FIVE VOLUMES.

— *(2.)* —

AMALGAMATION OF THE CITY AND COUNTY OF LONDON.

Session

12 *March* 1894 —— 25 *August* 1894.

VOL. XVII.

1894.

REPORTS

FROM

COMMISSIONERS, INSPECTORS,

AND OTHERS:

1894

THIRTY-FIVE VOLUMES:—CONTENTS OF THE

SECOND VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

AMALGAMATION OF THE CITY AND COUNTY OF LONDON:

[C. 7493.] Report of the Commissioners appointed to consider the proper conditions under which the Amalgamation of the City and County of London can be effected, and to make specific and practical proposals for the purpose, with Maps illustrative of the Report. p. 1

[C. 7493–I.] Minutes of Evidence, with Digest and Index. 37

REPORT

OF THE

COMMISSIONERS

APPOINTED TO CONSIDER

THE PROPER CONDITIONS UNDER WHICH THE AMALGAMATION OF THE CITY AND THE COUNTY OF LONDON CAN BE EFFECTED,

AND TO MAKE

SPECIFIC AND PRACTICAL PROPOSALS

FOR THAT PURPOSE;

TOGETHER WITH

MAPS ILLUSTRATIVE OF THE REPORT.

Presented to both Houses of Parliament by Command of Her Majesty.

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ROYAL COMMISSIONS APPOINTING THE COMMISSIONERS AND THE SECRETARY.

VICTORIA R.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To our right trusty and well-beloved Councillor, Leonard Henry Courtney; Our trusty and well-beloved Sir Thomas Henry Farrer, Baronet; Our trusty and well-beloved Robert Durning Holt, Esquire, Mayor of our City of Liverpool; Our trusty and well-beloved Henry Homewood Crawford, Esquire, Solicitor to the Corporation of our City of London; and Our trusty and well-beloved Edward Orford Smith, Esquire, Town Clerk of our City of Birmingham, Greeting.

Whereas We have deemed it expedient that a Commission should forthwith issue to consider the proper conditions under which the Amalgamation of the City and the County of London can be effected, and to make specific and practical proposals for that purpose.

Now know ye, that We, reposing great trust and confidence in your knowledge and ability, have authorised and appointed you, the said Leonard Henry Courtney; Sir Thomas Henry Farrer; Robert Durning Holt; Henry Homewood Crawford; and Edward Orford Smith; to be Our Commissioners for that purpose.

And for the better effecting the purpose of this Our Commission, We do by these Presents give and grant unto you, or any three or more of you, full power to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission; and also to call for, have access to, and examine, all such books, documents, registers, and records, as may afford you the fullest information on the subject; and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

And We do further by these Presents authorise and empower you, or any three or more of you, to visit and personally inspect such places in Our United Kingdom, as you may deem it expedient so to inspect, for the more effectual carrying out of the purpose aforesaid.

And We do further by these Presents will and ordain that this Our Commission shall continue in full force and virtue; and that you, Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And We do further ordain that you, or any three or more of you, have liberty to report your proceedings from time to time, if you shall judge it expedient so to do.

And Our further Will and Pleasure is that you do, with as little delay as possible, report to Us, under your hands and seals, or under the hands and seals of any three or more of you, your opinion upon the matter herein submitted for your consideration.

Given at Our Court at St. James's the twenty-seventh day of March, one thousand eight hundred and ninety-three, in the fifty-sixth year of Our Reign.

By Her Majesty's Command,

(Signed) H. H. ASQUITH.

VICTORIA R.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To Our right trusty and well-beloved Councillor, Leonard Henry Courtney; and the several other Commissioners appointed by Us to consider the proper conditions under which the Amalgamation of the City and the County of London can be effected, and to make specific and practical proposals for that purpose, Greeting.

Know ye, that We have made choice of Our trusty and well-beloved George Edward Yorke Gleadowe, Esquire, to be Secretary to such Commission, whose services and assistance We require you to use from time to time as occasion may arise.

Given at Our Court of St. James's the fifth day of April, one thousand eight hundred and ninety-three, in the fifty-sixth year of Our Reign.

By Her Majesty's Command,

(Signed) H. H. ASQUITH.

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REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

We, Commissioners appointed under Your Majesty's Royal Warrant of the 27th March 1893, to consider the proper conditions under which the amalgamation of the City and County of London can be effected, and to make specific and practical proposals for that purpose, beg humbly to submit to Your Majesty the following report :—

Previous attempts to deal with problem of London Government.

Though the particular form in which Your Majesty has desired us to approach the subject is a new one, the general question of the organisation of the Government of London has been frequently considered, and by other Commissioners than ourselves.

Effect of Act of 1835 on Municipal Corporations generally.

2. Under the Municipal Corporations Act, 1835,* the municipalities of England and Wales, other than London, which was excepted for special reasons, and certain boroughs which were not dealt with on account of their insignificant size and comparative unimportance, were completely reorganised. The two main changes introduced may be especially noted.

Two main changes introduced by the Act : i. Reform of constitution.

3. The governing bodies were entirely transformed. Up to that time their members had been "in the great majority of instances" self-elected, and "generally for life";† but under the Act these bodies were composed of councillors directly elected by resident rated occupiers for a term of three years, and of aldermen chosen by these councillors to the extent of one-third of their own number for a term of six years. The limits of the area of each borough were extended as the town had extended. In the case of towns possessing a representation in Parliament, the limits adopted were those prescribed for the Parliamentary boroughs as created or re-constructed in 1832.

ii. Extension of area.

4. This second change produced in cases requiring it an extraordinary extension of the areas of the towns dealt with, as they had outgrown the narrow space occupied when they were first incorporated; and as the Act provided there should be no discontinuity of existence, the powers and possessions of the governing body of the smaller area passed to their immediate successors, the corporation of the extended borough. Many of the boroughs so extended have continued to grow since 1835, and under Private Acts of Parliament and Provisional Orders confirmed by Parliament, their boundaries have from time to time been extended, so as to include what had become parts of the same community, though outside the original limits.

Instance of Liverpool.

5. It was stated in evidence‡ that the population of Liverpool, which was raised by the extension effected under the Act of 1835 from 165,000 to 206,000, and is now 520,000, will under a Provisional Order about to be submitted to Parliament be further increased by 120,000 to 640,000.

London excluded from Act of 1835. Its case separately considered by the Royal Commissioners in 1837. Their views upon it generally in favour of a single municipality for London.

6. The case of London was excluded from the legislation of 1835, but the Commissioners upon whose report that legislation had followed proceeded in 1837 to make a special report on the case of the capital. They pointed out how small a proportion of the Metropolis was comprehended within the municipal boundary of the City,§ their estimate being that the population within the limits of the City was "less than a ninth "of the population of what might be considered, in a general way, the Town of "London." After indicating the difference between London and other boroughs, they stated‖ that they "did not find any argument on which the course pursued with regard "to other towns could be justified, which did not apply with the same force to London, "unless the magnitude of change in this case should be considered as converting that "which would otherwise be only a practical difficulty, into an objection of principle," and "they were unable to discover any circumstance justifying the distinction of "the small area within the municipal boundary from the rest, except that in fact "it was, and had long been, so distinguished." At the same time they referred

* Repealed and re-enacted with amendments by the Municipal Corporations Act, 1882 (45 & 46 Vict. c. 50).
† *See* paragraph 32 of Report of Commissioners of 1835.
‡ *See* Clare, 10,092–5. § Page 2. ‖ Page 4.

to the possible suggestion that the outer parts of the town might be formed into separate communities, as follows* :—"We hardly anticipate that it will be suggested, "for the purpose of removing the appearance of singularity, that the other quarters "of the town should be formed into independent and isolated communities, if indeed "the multifarious relations to which their proximity compels them would permit them "to be isolated and independent. This plan would, as it seems to us, in getting rid "of an anomaly, tend to multiply and perpetuate an evil." While thus discountenancing the creation of a congeries of municipalities the Commissioners called attention to the peculiar conditions of the Metropolis as the seat of the Legislature and of the Executive Government; and after indicating certain functions of local administration which in their judgment could never be "so economically and efficiently performed in "one town as when superintended by an undivided authority," added that† "the only "real point for consideration was how far these duties for the whole Metropolis could "be placed in the hands of a Metropolitan Municipality, or how far they should be "entrusted to the officers of His Majesty's Government."

Alterations recommended by Commission of 1837. How far carried into effect.

7. The Commissioners proceeded to describe and criticize, in detail, the various features of the city government as it then existed, and to indicate certain alterations which seemed to them desirable. Some of these have since been carried into effect, but no general legislation, or attempt at legislation with respect to the government of the Metropolis, followed this Report, a fact which may in some measure be attributed to the circumstance that the Corporation of the City was, unlike most other old Corporations, a popularly elected body, but still more to the political conditions of the ensuing years, and to a consciousness that the Commissioners themselves had hesitated to formulate any conclusions on the subject more definite than those above indicated.

Royal Commission of 1853–4. Their recommendation in favour of seven separate municipalities in London under a central Board of Works. How far carried into effect.

8. In 1853, another Commission was appointed to inquire specially into the affairs of the City Corporation. In their Report in the following year they made various recommendations for the reform of the City Corporation, a few of which have been carried out,‡ either by the Corporation itself, or by legislation such as the City Elections Act of 1867, and the City Ballot Act of 1887. Though the general question of the Government of the Metropolis had not been referred to these Commissioners, they reported at some length upon that subject, and suggested that the seven Parliamentary Boroughs then existing in the Metropolis should be created Municipal Boroughs combined with a central Board of Works, the members of which should be elected from each municipality.

9. No action was taken to bring into existence these seven municipalities, but the suggestion for the creation of a central Board of Works was carried into effect by the Metropolis Local Management Act introduced by Sir Benjamin Hall in 1855. In this measure use was made of the existing parishes, the vestries of which—either separately or grouped by means of secondary indirect election into District Boards—were made at once the primary local authorities for the government of the Metropolis, and also the constituent electors of the Metropolitan Board of Works, which was created for the management and control of matters, such as main drainage, common to the whole of London. In this legislation there was for the first time provided a central body entrusted with the administration of certain functions throughout the whole Metropolitan area (including the City), while leaving local functions to be discharged by local authorities in the City and surrounding parishes.

Recommendations of Select Committees of 1861, 1866, and 1867.

10. Select Committees of the House of Commons sat in 1861, 1866, and 1867, to inquire into the Local Government and Taxation of the Metropolis. The Report of the Committee of 1861 contains a most valuable sketch of the existing condition of local government in London, but the only definite recommendation made by it with which we are at present concerned, was a suggestion that greater authority would attach to the deliberations of the Metropolitan Board of Works were its members elected directly by the ratepayers of the Metropolis.§

11. The Committee of 1866 also refrained from making specific recommendations, confining themselves to a suggestion that, in any re-arrangement of the financial resources of the Metropolitan Board of Works, a portion of the charge for permanent improvements and works should be borne by the owners of property within the Metropolis, and that the owners should be represented on the Board.‖

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* Page 4. † Page 5. ‡ *See* Monckton, 2349–56, and Appendix V.
§ Third Report, page xii. ‖ First Report, paragraphs 48 and 49.

12. This Committee was re-appointed in 1867, and made several definite suggestions, the principal being* :—

(1.) That the Metropolis should be constituted a county of itself.

(2.) That the Metropolitan Board of Works should contain, besides representatives of the several vestries and district boards as before, a number of metropolitan justices, to represent the owners of property, and a further number of members elected directly by the ratepayers in each district.

(3.) That the powers and duties of the Metropolitan Board of Works having been much enlarged since its first establishment, its name should be made more conformable to its present and future condition, and it should be called "The Municipal Council of London."

(4.) That its powers should be still further extended, as regards gas and water supply, railways, and securing uniformity of assessment.

(5.) That the existing divisions of the Metropolis for the purpose of local government should be readjusted, and divided into convenient wards, the ratepayers of which should directly elect the members of the district governing bodies.

(6.) That the governing authority for each district should be called the "Common Council" of the district.

(7.) That these common councils should absorb the boards of guardians, so that the functions of local government brought into close relations with the relief of the poor should be exercised by one body, subject to such superior control by the Municipal Council as might be necessary for the general welfare of the metropolis.

(8.) That all the police in the Metropolis should be placed under one control; but if that should be found too heavy a charge, the police of the remoter districts should be transferred to the counties in which they were situate where an efficient county police was established.

Sir William Harcourt's London Government Bill, 1884, proposing a municipality for London with power to delegate some of its functions to local bodies.

13. The question of the government of London again remained dormant until 1884, when it was taken up by the Government of the day. That Government submitted to Parliament a measure based on the creation of a single municipality for the whole of London, by an extension of the area, and a reform of the constitution of the ancient City Corporation. It was proposed that this municipality should absorb all the powers of the existing vestries, giving out again to them such functions as in its judgment might be advantageously exercised by local bodies; and the Bill had naturally to contend in Parliament, not only with the opposition of the City of London, but also to some extent with that of the vestries and district boards, whose independence was threatened by the proposed limitation of their powers in future to such as might be delegated to them by the municipality. After several interesting debates the Bill was withdrawn at a late period of the session, but its introduction and discussion had done much to awaken interest and mature opinion on the question of the practicability of the government of London by a single municipality.

Local Government Act, 1888.

14. In 1888 a Bill was carried through Parliament for the extension to the counties of England and Wales of the principle of self government, by the creation of directly elected representative bodies called county councils, and occasion was taken to convert the area, under the administration of the Metropolitan Board of Works, into a separate county, with a council elected as in the other counties.

Its effect on London government. The County of London, and the County of the City of London, form together the Administrative County of London.

15. The Local Government Act of 1888 affected London in a special and somewhat complicated manner. For non-administrative purposes, it constituted London outside the City a county at large, with an organisation corresponding to that of other counties in England, except in so far as that organisation is modified by the existence of the Central Criminal Court District, the Metropolitan Police, the Metropolitan Police Courts with their Magistrates, and a paid Chairman of Quarter Sessions. For similar purposes the Act left the City of London, which is a county of a city, practically untouched. For administrative purposes the Act created the Administrative County of London, which includes the City, and for which the County Council is elected; and it treated the City as nearly as possible as if it were a quarter sessions borough, with a population exceeding 10,000, lying within the Administrative County of London. It therefore transferred or reserved to the Common Council of the City, the powers of the council of a borough of that class. The theory was simple; the complexity lay in the existing facts. On the one hand the Metropolitan Board of Works had extensive powers of town government outside the City, including not only direct administrative functions, but also various powers of control over the action of the local

* Second Report, pages v to vii.

authorities, the vestries, and district boards; and it had also some powers which almost of necessity extended to the area of the City, for example, main drainage. All these powers and duties were transferred to the London County Council, which thus obtained not only large powers of town government over the whole area of the administrative county with the exception of the City, but also powers and functions within the City, which no other county council exercises in a borough lying within its administrative area. On the other hand, the Corporation of the City, by ancient privilege or special legislation, had rights and powers which extended beyond the area of the City, and applied to or affected the whole Administrative County of London, such for example, as market rights, and powers as to foreign cattle, and as port sanitary authority. These rights and powers were left untouched, and they connect the City with the Administrative County of London in a way in which no borough is connected with the Administrative County in which it lies. The machinery of local government applicable to a rural county with boroughs lying within its area, was insufficient for the far more complicated case of London, and the problem of its government was not solved by the Act of 1888.

16. It will thus be seen that the Act of 1888, in creating the London County Council, combined in that body two distinct characters, and invested it with two distinct classes of duties and powers. It not only constituted London outside the City a separate county under a county council, exercising the functions hitherto performed by the justices in quarter sessions, but also transferred to this council the powers and duties previously vested in the Metropolitan Board of Works, so that the London County Council stands out amongst other county councils, as regards both the extent and limitation of its authority. Over the county of London—London outside the City—its powers are very extensive. Where it has no power of direct administration itself, it controls in various ways the action of the local authorities, the vestries and district boards. At the City boundary many, if not most, of these powers are stopped, and we come into the jurisdiction of a separate municipality—the City of London, which also exercises some powers beyond its own precincts—and into a new county—the county of the City of London. For some purposes, however, such as main drainage, the two areas are combined under the County Council into one, the Administrative County of London, comprising both the County of London and the City of London with the County of the City of London.

Acreage, rateable value, and population of the three counties.

17. We have therefore three principal areas existing in London: (1) the City of London governed by an unreformed Corporation, which is also a separate county for non-administrative purposes, *viz.*, Quarter Sessions, Justices, Militia, Coroner, Sheriffs, &c.; (2) the county of London, which is the area under the government of the London County Council, minus the City; and (3) the Administrative County of London, which is the whole district under the County Council, and which for certain administrative purposes includes the City.

The rateable value, acreage, and population of these three areas are shown in the following table:—

	City and County of City of London.	County of London outside the City.	Administrative County of London, including the City.
Acreage	671	74,771	75,442
Rateable value (1891)	£4,100,798	£28,998,515	£33,099,313
Population (Census of 1891)	37,705	4,194,413	4,232,118
RATIO PER CENT.			
Acreage	·89	99·11	100
Rateable value	12·39	87·61	100
Population	·90	99·10	100

The task set before the Commission is the amalgamation of these areas and jurisdictions.

Terms of reference to the Commission. Interpretation put upon them.

18. That such an amalgamation is desirable if it is practicable we understand to be assumed in the terms of the reference to us, "to consider the proper conditions "under which the amalgamation of the City and County of London can be effected, "and to make specific and practical proposals for that purpose." This assumption did not command the assent of our late colleague, Mr. H. Homewood Crawford, the City Solicitor, and he and those who represented the City before us as witnesses, protested against their appearance on or before the Commission being regarded as an

admission that the amalgamation was desirable. Some correspondence and delay in the production of evidence on behalf of the City followed, and ultimately the witnesses who had attended on behalf of the City withdrew, and Mr. Crawford himself retired from the Commission. We cannot but be glad that the participation, so far as it extended, of the City in the inquiry placed at our disposal a large amount of valuable information as to the history, constitution, and working of the government of the City both by the Corporation itself and the Commissioners of Sewers; and the advantage derived from the co-operation of our colleague, Mr. Crawford, is apparent on every page of our proceedings throughout the earlier part of our inquiry. We desire to express our indebtedness to him, and our regret that we had not the benefit of his assistance to the end of our labours. Incidentally we may mention that we had not the advantage of receiving direct evidence upon the City estates and accounts from the Chamberlain, and upon the City police from the Commissioner of that Police.

Withdrawal of the City representatives.

19. The reasons assigned for withdrawal by the City were the conditions attached by us to the receipt of evidence which the Corporation wished to offer with regard to local authorities other than themselves, and the manner in which witnesses tendered by the Corporation had been examined, which led them to the conclusion that "due "consideration had not been and was not being given to the important interests "involved in the reference" to us.* How far these complaints were justified we must leave to be determined by those who read our proceedings,† but we may say for ourselves that our endeavour throughout has been, whilst carrying into effect the instructions by which we are bound, to do full justice to the representatives and evidence put before us on behalf of the City. We believe that no evidence tendered by the City was rejected, and we received at first hand evidence from the representatives of the vestries and district boards, on whose behalf the City apparently desired to speak.

Reasons assigned by the City for withdrawal.

20. Besides representatives of the Corporation—including a former Lord Mayor (Sir D. Evans), the Town Clerk, the Recorder and Common Serjeant, the Comptroller, and other high officials—and of the Commissioners of Sewers—including the Chairman and Principal Clerk—we have had the advantage of obtaining evidence from Mr. Rotton, legal adviser to the Local Government Board; the Vice-Chairman, Deputy-Chairman, and other members and officers of the London County Council; from the chairmen, clerks, and other members and officers of several vestries and district boards of works; from the Commissioner of Metropolitan Police, the Town Clerk of Nottingham, the Deputy Town Clerk of Liverpool, the Chairman of the Essex County Council, the Secretary to the Municipal Corporations Association, representatives of the Incorporated Institution of Municipal and County Engineers, and other gentlemen, and we believe the assistance we have thus received extends to all the subjects of our inquiry, and enables us to approach with some confidence the questions referred to us by Your Majesty.

Witnesses examined.

21. We began, in the first instance, by obtaining from the Local Government Board a statement of the present condition of local government in the Metropolis and an enumeration of the several bodies exercising local functions, and the powers and duties entrusted to each.‡ We then applied to the County Council, the Corporation, and the Commissioners of Sewers for more detailed information upon their powers and duties, and received from all three bodies printed statements (to be found in the Appendix), which subsequently formed the basis of oral evidence.§ As a rule, we confined our inquiries to such matters as each witness could speak to at first hand, but an exception had to be made to this rule in taking evidence from Mr. John Kemp and Mr. Gomme, witnesses tendered by the London County Council, in respect of the City, pending the decision of the Corporation as to continuing to give evidence before us.‖ After thus obtaining an account of things as they were, we proceeded to the consideration of a scheme of amalgamation put forward by the County Council, and to the comments made upon it by persons qualified to speak; and inasmuch as the vestries and district boards had certain relations to the County Council, a consideration of which might be important in reference to the future government of

Procedure of the Commissioners. Nature of the evidence taken.

* *See* Question 8354.

† *See especially* Monckton, 6526, 6546.

‡ *See* Appendices I. and II.

§ *See* Appendices III., IV., and VI.

‖ We have referred subsequently (para. 60) to Mr. Gomme's valuable financial analysis, and may here say that Mr. Kemp's investigations (Memoranda, Appendices VIII. and X.) have been of extreme service to us.

the present limited City, we thought it well to take evidence from them both as to their present powers and duties, and also as to any modifications which seemed to them desirable, especially as regards their relation to the central body.

General conclusion suggested by the evidence. There must be a central body and strong local bodies in London.

22. A consideration of the evidence we have received confirms the opinion suggested by the course of previous inquiries and of legislation, or, in other words, by the historic development of the Metropolis, that the government of London must be entrusted to one body, exercising certain functions throughout all the areas covered by the name, and to a number of local bodies exercising certain other functions within the local areas which collectively make up London, the central body and the local bodies deriving their authority as representative bodies by direct election, and the functions assigned to each being determined so as to secure complete independence and responsibility to every member of the system.

Object: to apply to London as far as possible the principles of the Act of 1835.

23. If the two great principles of the Municipal Corporations Act, 1835, viz., 1. Extension of area; and 2. Reform of constitution, had been applied to the City of London half a century ago, much subsequent legislation might have been spared, and there would obviously have been no necessity for the present Commission. To complete the work then left undone, and, as far as possible, on similar lines, in order to bring London into harmony with the other municipal corporations of the country, seems to be the proper solution of the problem with which we have to deal.

Difficulties in the way of such application. (i.) Complexity of the jurisdictions affecting London.

24. Independently of its position as the capital and seat of government, the important points of difference between London and any other large city, are, first, its enormous size, and secondly, the complexity of the jurisdictions affecting it. The term London is at present so indefinite as to cover at least 10 different areas,* though the London with which we are concerned is, as above stated, the Administrative County, comprising the County and the City and County of the City. Many other cities and towns are also counties in themselves, and the difference between counties at large, and counties of cities, is rather one of degree than of principle. Many boroughs which are not counties of cities, were made separate Administrative Counties (County Boroughs) under the Local Government Act, 1888, and are thus in administrative matters exempt from the jurisdiction of the authorities of the counties in which they are situated.

London requires town rather than county government.

25. The recent treatment of the large area of London outside the City as a county, while adequately recognising its essential unity, gave undue prominence to county rather than to city characteristics. London is really a great town, and requires town and not county government. In those cities and boroughs that are also counties of themselves, the county government is so merged and blended with the municipal constitution that the former in practice is almost obliterated. Bearing this in mind, we have to apply to an area, called a county, but really a town, now endowed with an elementary form of government, the dignity and completeness of the highest form of municipal life.

London is really one great town comprising within itself several smaller towns.

26. Our task, however, does not end here. We have already dwelt on the necessary co-existence of a central body exercising functions over the whole area of the Metropolis, and of local bodies with functions exercised within local areas, and we have been much impressed by the fact that whether we undertake the organisation of the government of the greater area, or of the smaller areas comprised within it, we are in all cases dealing with areas which possess the characteristics of town life, and the organisation of their joint and several government should be settled accordingly. London, we repeat, is one large town, which for convenience of administration, as well as from local diversities comprises within itself several smaller towns; and the

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* The term London denotes different areas according as it is used in connexion with the jurisdiction of—
The Corporation of the City.
The County Council.
The Police.
The Magistracy.
Poor-Law Guardians and Asylums Board.
The Central Criminal Court.
The School Board.
The Registrar-General.
The Water Companies.
The Gas Companies.
The Post Office.
The area of the School Board is identical with the Administrative County of London, but this is the only case in which the same district is denoted by the name London. (*See* Maps I. and II. appended to the Report.)

application of the principles, and still more of the machinery, of municipal government to these several areas, must be limited by conditions arising from this fact.

There must be local bodies as well as a central body.

27. It seems possible that the hesitation which marks the report of the Commissioners of 1837 may have been due to the fact that they imperfectly appreciated the double aspects of unity and separability of London as a whole; and this view of the problem has indeed been developed in later years by the course of inquiry and legislation. It has now grown into so general an acceptance, that all the witnesses before us, we believe without exception, concurred in recognising the necessity for the existence of a central body exercising functions common to London as a whole, and of local bodies exercising functions restricted to their localities, both the one and the other being directly elected by their respective constituents, thus having independent origin if not exercising independent jurisdictions.

Any controversy that remains turns upon the partition of powers between this central and these local bodies.

Difficulty presented by the position of the City of London.

28. It will be at once apparent that the principal difficulty in effecting a re-organisation of the government of London as a whole, lies in the existence of the City as now limited, containing barely one square mile (671 acres) out of the 118 miles (75,442 acres) covered by the administrative county; with a population insignificant at night—only 37,700 out of 4,232,000 in the whole county—but in the daytime more thronged* than the most crowded district of the rest of London; a rateable value out of all proportion to its size,† forming one-eighth instead of $\frac{1}{112}$th of the whole; and with an historic reputation for splendour and wealth which are the pride, rather than the envy, of the rest of the Metropolis.

Repugnance felt by the City to extension.

29. It is not surprising that any change, however agreeable to the course of municipal development throughout the kingdom, and however full of promise of enhanced splendour in the future, which proposes to carry over this heritage of tradition and renown from the limited area hitherto specially enjoying it to the whole Metropolis that has grown up around it, should be viewed with mistrust and repugnance by those who may be called upon to share what they have hitherto exclusively administered with the mass of their fellow-citizens.

Similar difficulties dealt with by Commissioners of 1835 in cases of Liverpool and Bristol. Their success.

30. But this was identically the same difficulty which confronted the Commissioners of 1835 in dealing with cities second only to the City of London in all that makes London famous. Liverpool and Bristol, no less than London, had a commercial centre with large estates and peculiar privileges confined to a small number of citizens, many of whom were not resident; but these and many other towns had their boundaries extended, so as to take in the suburbs at their gates; and if there was in any case unwillingness to accept this extension at first, no sooner had the road once been opened, than extension followed extension until town now vies with town, not which shall contain the smallest area and population, but which the largest.‡ We can hardly believe that when the work of amalgamation has been completed, the citizens of London will be content to be judged by any other standard.

(ii.) The great size of London makes it impossible for a single municipality to deal with all the details of government, and necessitates the co-existence of local bodies.

31. The real point of difference between London and any other large town, viz., its huge area and population, makes it necessary that besides the over-government of the future Corporation, there must be subsidiary bodies to discharge local highway, sanitary, and other duties, and these are already found in the existing vestries and in the district boards created by the Metropolitan Management Act, 1855, which bodies now discharge in London the important duties of urban sanitary authorities. Some of our witnesses§ have indeed told us that they saw no other limits than those set by the geographical formation of the ground to the extent of a town which might be directly governed by a single municipality, and the experience afforded by the administration of large Continental towns like Paris and Berlin lends some countenance to this view. But in the government of these cities there is an admixture of State control materially modifying the character of their administration, an admixture which we may observe seems to have been present in the minds of the Commissioners when they made their further Report in 1837, while the government of the City of New York supports the suggestion that there is a danger of a decay of municipal spirit attendant upon the administration of a large town area, unaccompanied by guarantees of local zeal and activity.‖

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* 300,000 souls.

† 4,150,000*l.* out of 33,200,000*l.*

‡ *See* Johnson, 9338–43; Clare, 10,092–122.

§ *See* Johnson, 9677; Clare, 10,324–64.

‖ *See* Mr. E. L. Godkin's article on Problems of Municipal Government, in the Annals of the American Academy for May 1894, Vol. IV., No. 6.

Local bodies available for detailed administration in the vestries and district boards of works.

32. In considering the government of the Metropolis we must take note of existing facts, and London already contains within itself a large number of separate areas administered with varying but in many cases considerable success, and possessing attributes of local life which could not wisely be weakened or endangered. So far as this local life exists outside the City, it is in connexion with the vestries and with the district boards of works set up by the Act of 1855 for the management of such affairs as can efficiently be administered locally; and with these ready to hand it would be, in our opinion, most unwise to discard a system which goes far to meet this very difficulty of size which has formed such an obstacle in dealing with the question of London government. Whether the present areas of local administration are always those best suited for convenience of management is a question which we will not discuss at length; some of our witnesses* have urged the creation of from 6 to 14 municipalities, with wider powers and greater dignities, in lieu of the existing 41 vestries and district boards: while others† have advocated the retention of an area as small as that of the present parish of St. James, Westminster – containing no more than 164 acres and a population of 25,000—as a separate unit of local government. Our opinion is that while some of the existing areas are of a convenient and suitable size, others might with advantage be grouped even more than at present. How these authorities should be constituted we will discuss later in dealing with the local administration of the area now governed by the City Corporation, which must to some extent form a model for the other local bodies in its constitution, functions, and relations to the central authority.

The existing areas of local administration need some modification.

Questions to be considered: 1. Constitution and functions of central body. 2. How should the existing Corporation be dealt with? 3. Functions and constitution of new local authorities. 4. Relation of new local authorities to central authority.

33. As we have said, all our witnesses,‡ even those most opposed to centralisation, have admitted the necessity of having a central body charged with the duties of administering matters common to the whole of the Metropolis, in this following the view of the Commissioners of 1854. We think we may therefore start from this as a postulate, and confine ourselves to considering the following four questions:—

1. What should be the constitution and functions of this central body?
2. How should the powers, duties, and property of the existing Corporation be dealt with?
3. What should be the functions and constitution of the local authority of the City (and other local authorities in London)?
4. In what relation should it (and they) stand to the central body?

These questions cannot be kept altogether distinct, but such repetition as is necessary will not, we think, obscure the issues.

1. Constitution and Functions of the Central Body.

a. Constitution.

1. (*a*) Constitution of the central body. Direct election of councillors preferable to indirect.

34. The Commissioners of 1854 favoured the principle of the election of members of the central body by delegation from the various local bodies, and this principle of indirect election was followed in the constitution of the Metropolitan Board of Works. In practice it had the advantage of keeping the central body in touch with the local bodies, but something of this kind may perhaps be secured by other means; and as Parliament deliberately discarded the principle of indirect election in the Act of 1888, we think we need not further consider it. In the same Act Parliament applied to London the machinery provided for other counties of a council with councillors elected all together every third year, the constituencies being the Parliamentary constituencies within the metropolitan area; and in applying this machinery no consideration seems to have been paid to the fact to which we have called attention, that London is a town with town life, rather than a county.

Triennial election of the whole body of councillors as against annual election of one-third.

35. We have received much evidence from those familiar with municipal life in the provinces§ in favour of the plan of the Municipal Corporations Act of electing councillors in thirds every year; and these witnesses have laid great stress on the elements of continuity and stability thus insured in town councils. On the other hand, members of the London County Council, representing different parties and

* *e.g.*, Angell, 11,327–53; Antrobus, 12,887–92; Boulnois, 12,547–56; Cohen, 12,611–4, 12,638, 12,639, 12,699–727; Leete, 10,619–57.

† *See* Bonthron, 13,419; Winnett, 13,420.

‡ *e.g.*, Bonthron, 13,379; Cohen, 12,598–610; Harris, 13,041–3, 13,088.

§ *See* Antrobus, 12,969; Johnson, 9271–302; Pritchard, 12,013–38; Clare, 10,046–8, and Appendix XIV.

opinions,* have concurred in favour of maintaining the system adopted in 1888; whilst some witnesses† more familiar with the experience of the existing City of London have urged the advantages attendant upon an annual election of all the members of a council. Evidence thus tendered in support of the experience with which each witness is familiar, accompanied in some cases by a confessed want of acquaintance with the working of other systems, is necessarily somewhat inconclusive. If the subject had been open for consideration as a question of the first instance, we should probably have recommended the application to London of the well-tried machinery of the Municipal Corporations Act; but we do not feel called upon to suggest an alteration of the recent decision of Parliament—whether taken after much deliberation or otherwise (and it does not appear that the point was debated in relation to the Metropolis)—until a larger experience has demonstrated the expediency of re-opening the question.

Aldermen; election and tenure of office.

36. The Act of 1888 added to the elected councillors aldermen, holding office for six years, in the proportion of one alderman to six councillors, instead of one to three as under the Municipal Corporations Act, but (as in other county councils) confined the privilege of co-opting these aldermen to the elected councillors, departing in this respect also from the machinery of the Municipal Corporations Act. All the witnesses examined in reference to this matter‡ concurred, as we do, in approving of this last departure from the Act of 1835, and we had some evidence§ as to the expediency of a further change in the election of aldermen, which should secure in these co-opted members some representation in due degree of the divisions among the elected councillors, so that the election of aldermen should not operate as the addition of so many votes to the power of the majority. We think this suggestion deserving of serious consideration whenever the question of the election of aldermen is reopened, but we do not recommend any alteration in the election of aldermen in connexion with the work before us; and we would only add that we have been much impressed with the evidence we have received‖ as to the valuable addition to the strength of municipal government from the presence of aldermen as attested by the experience of municipal corporations. It is right to say that it has been suggested to us (1) that the aldermen of the London Corporation should be elected by the local bodies¶; and (2) that they should be elected directly at the same time as the ordinary councillors, but should have a term of office of six instead of three years.** The former of these suggestions might have the advantage of keeping the central body more in touch with the local bodies; but this object may be attained by other means, and we have not been led to think that by either of these processes there would be secured such elements of weight and strength as have been brought into municipal corporations since 1835.

Numbers of aldermen and councillors.

37. The existing Council consists of 118 councillors and 19 aldermen, and in the constitution of the new Corporation we have not suggested any alteration in the methods of choosing these members. In view, however, of the incorporation in London of the present City on the same conditions as the rest of the Metropolis, it may be considered whether, remembering that its rateable value is about one-eighth of the rateable value of the whole, there should not be an additional representation given to the City. If we combine the elements of population and rateable value, as is already done in the case of the division of parishes into wards under the Local Government Act, 1888,†† it would seem that this representation might not unfairly be doubled, so that the present City might have eight representatives; and it may be pointed out that this would cause an addition of one more alderman to the Council. In this connexion we may add that there are tendencies, which are certain to be realised, towards a future unequal development of the different districts of the Metropolis, as well as towards an increase in the duties of the central body, and we recommend that, if at any time the Council think fit, they may frame a scheme for altering the number of aldermen or councillors or either of them. Every such scheme should be submitted to the Local Government Board, and should take effect if confirmed by Order in Council.

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* *See* Antrobus, 12,961–73; Boulnois, 12,530, 12,531, 12,542; Harrison, 8691–4, 8706; Westacott, 13,150–2, and Appendix XIV.

† *See* Cohen, 12,616–37.

‡ *e.g.*, Johnson, 9331–3; Pritchard, 12,069–83; Clare, 10,063–91.

§ *See* Antrobus, 12,942–6; Boulnois, 12,538; Cohen, 12,675, 12,676; Harris, 13,054–64; Johnson, 9315–5.

‖ *See* Clare, 10,075, 10,076; Johnson, 9277, 9303, 9304; Pritchard, 12,086–103.

¶ *See* Fraser, 13,810–3.

** *See* Antrobus, 12,926–31, 12,954–60; Boulnois, 12,534–7.

†† *See* Gomme, 1104–18.

Electorate for councillors.

38. Up to the present year the electorate for the County Council was the widest existing in London, but the Local Government Act of last session made the electorate for vestries wider still by combining the Parliamentary with the County (Council) register, and removing the disqualification previously attaching to married women as regards the latter.* It is manifestly convenient as well as economical to have one register of electors for both the central and local bodies, and we think that the electorate fixed by the Act of 1894 should be taken for both.

The extended City of London.

The Old City.

39. Having thus considered the composition of the Council and the electorate from which it should originate, we proceed to recommend that the area subject to its administration, being the whole area of the present Administrative County of London, including the present City, should in future be styled the "City of London," and should be a county in itself; while the present City should be styled, and we shall herein-after always so refer to it, the "Old City."

The new Corporation of London to succeed to the Corporation of the Old City and to the London County Council.

40. The governing body of the City of London and its electors should be incorporated under the name of "the Mayor and Commonalty and Citizens of London"—the designation hitherto borne by the Old City—and this Corporation should succeed to the present Corporation of the Old City and the London County Council, and should act through its Council as already described.

The Lord Mayor: position, functions, privileges, and remuneration.

41. The Council should elect from the citizens of London a Lord Mayor, and he should be admitted in the same manner, and with the same ceremonies, as the Lord Mayor of the Old City is now admitted.

42. He should be the titular chairman of the Council, but it should not be necessary for him to be present or to preside at its meetings. He should be the official representative of the people of London, and, except as otherwise provided in our proposals, he should exercise and enjoy all the personal rights, offices, dignities, and privileges which belong to the Lord Mayor of the Old City by custom, charter, or law.

43. He should be a justice of the peace for the City of London during his year of office, and, if not disqualified to be mayor, for one year afterwards. His name should be included in the Commissions of Oyer and Terminer and Gaol Delivery for the district of the Central Criminal Court.

Town Clerk.

Sheriff.

44. We further propose that the Council should have power to appropriate such sum as it thinks fit for the remuneration of the Lord Mayor, or the expenses of his office, and to choose a Town Clerk and other officers, and to pay them such salaries as it sees good, but that no member of the Council, other than the Lord Mayor or Sheriff, should hold any office of profit under the Council.

Head of the Staff.

45. At present the head of the staff of the County Council is the deputy chairman, one of the elected members, who receives a salary. We have taken much evidence† upon the relative advantages of this system and of that obtaining in provincial municipalities generally, under which the head of the staff is the Town Clerk, a permanent officer, usually possessing legal qualifications. We have not been able to ascertain that there were any reasons either of expediency or of experience which induced the departure from ordinary practice adopted in the organisation of the London County Council, and it seems possible that it was in some measure due to the accidental circumstances of the time. We think it highly desirable that the head of the staff should be independent of the party divisions and conflicts necessarily found in the Council, and we are impressed with the inconvenience that would arise if at a critical moment the Corporation, through the chances of a contested election, were deprived of the services of its principal officer. We are, therefore, decidedly of opinion that the system provided by the Municipal Corporations Act is to be preferred.

Lieutenancy.

46. A suggestion has been made that the Lord Mayor should be Lord Lieutenant and Custos Rotulorum of the County of London.‡ We mention this though we do not adopt it. We think, however, that the present Commissioners of Lieutenancy for the county of the Old City might continue as Deputy Lieutenants for the County of London, as was provided by the Act of 1888 in the case of Deputy Lieutenants appointed by the Constable of the Tower of London.

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* *See* Table of qualifications of electors and candidates for different public offices, &c. in London, in Index to Evidence.

† *See* Harrison, 8804-21; Johnson, 9827-49; Clare, 10,319-25; Pritchard, 12,104-11; Westacott, 13,202-6.

‡ *See* Harrison, 8782-8.

b. Functions of the New Corporation.

(*b.*) Functions of the new Corporation.

47. We have now to consider what the functions of the new Corporation should be, and its relations to the subordinate local authorities, especially to that of the Old City. As we have already intimated, we think the re-settlement of the government of the Old City should be made on lines which are capable of being more or less rapidly adopted in the other component parts of London, so that its organisation may be regarded as an example to be followed.

Everything should be left to the local authorities that can be administered by them with equal efficiency.

48. In developing this principle we think that everything possible should be done to maintain the strength, authority, and dignity of the local bodies of London; and that, in the partition of functions between the Corporation of London and local authorities, the former should be relieved of all administrative details for which its intervention is not really necessary, and the latter should be entrusted with every duty they can conveniently discharge. In the case of doubt our inclinations would lean to the allotment of functions to the local bodies, and we believe that, in cases where uniformity of action is necessary, this may often be best secured by giving to the Corporation the authority to frame byelaws which should be locally administered; with provision, however, for the intervention of the Corporation to secure their enforcement, should they be neglected.

The new Corporation should deal with matters common to the whole of London.

Partition of functions between the existing Corporation and Commissioners of Sewers.

49. The proposals put before us by the London County Council aimed at the extension over the Old City of the powers of the Council which are now stopped at its boundary, and the transfer to them of such powers, duties, and property now vested in the Corporation of the Old City as relate to matters in which the whole metropolis has an interest.* In distinguishing these we are much helped and guided by the fact that the Old Corporation has in practice, so far as the area of the Old City is concerned, delegated to the Commissioners of Sewers the principal part of the functions usually exercised by a municipal town council; and this delegation suggests a distinction between central and local powers which, though not in all cases strictly accurate or complete, still affords a good general indication of the division that should be followed.

50. Before considering how this principle of distinction between central and local functions may be applied, it may be useful to recount briefly the powers and duties of the two bodies—the County Council and the existing Corporation.

A. Existing powers of County Council over all London.

A.—The County Council has already jurisdiction over the whole of London, including the Old City, in matters relating, *inter alia*, to—

Main sewers;
Main roads, and tramways thereon;
Embankments, and prevention of floods;
Fire brigade;
Metropolitan commons;
Parks and open spaces (other than those now managed by the Corporation of the Old City, or by the vestries and district boards);
Street naming and numbering. Formation and width of streets, and control of line of frontage;
Pollution of rivers (except Thames and Lee);
Licensing of theatres (except within the jurisdiction of the Lord Chamberlain), music halls, and racecourses;
Framing of byelaws as regards overhead wires, &c.;

and it has limited powers as regards:—

The notification of infectious diseases, payment of the salaries of medical officers of health, and other duties under the Public Health Act (London), 1891;
New and dilapidated buildings;
Street improvements.

Origin of these powers.

51. These powers fall into three classes:—

1. Those inherited from the Metropolitan Board of Works.
2. Those transferred from the justices under the Act of 1888, including, as regards the Old City area, those which were transferred to the County Council and not to the City Corporation.

* *See* Appendices XII and XIII.

3. Those created by recent legislation, the tendency of which would seem to have been to assign to the County Council the duty of administering each new Act, without always minutely considering whether it was the body best adapted for it.

As a rule these powers would naturally vest in the new Corporation, but we think that they should be reconsidered, with the view of seeing how far any of these functions can be exercised by the local authorities without loss of efficiency. A good deal of evidence* has been given before us on this subject on both sides, which deserves careful reading, and we shall have to recur to it in a later part of the Report.†

B. Powers exercised in the Old City by the Corporation or Commissioners of Sewers, and outside it by the County Council.

52.—B. There are other functions exercised in other component parts of London by the County Council, but in the Old City by the Corporation or the Commissioners of Sewers; these comprise powers relating to—

Bridges	Exercised in the City by the Common Council.
Locomotive traffic on highways other than main roads	
Street improvements	
Water supply	
Infant life protection	
Storage, &c. of petroleum and explosives	
Contagious diseases (home animals)	
Coroners	
Gas, testing purity of	
Asylums	
Reformatory schools	
Shop hours	
Weights and measures, testing, &c. of	
Dangerous structures	Exercised in the City by the Commissioners of Sewers.
Unhealthy areas under the Housing of the Working Classes Act.	
Provision of lodging-houses for the working classes under the Housing of the Working Classes Act.	
Licensing of offensive trades and slaughter-houses	
Sky signs	

These powers would, under the scheme of the County Council, vest in the new Corporation for the whole of London. But while we approve of this proposal, we do so subject to such reconsideration as has been already recommended in dealing with class A.

C. Matters for which the existing Corporation is the authority for the whole of London, viz., markets, some bridges and open spaces, and sanitary administration of the port of London.

53.—C. There remain a few matters, for which the existing Corporation is the authority for the whole of London, such as the provision of markets, supervision of foreign animals as imported, and the sanitary administration of the Port of London. The Corporation has also provided and maintained Epping Forest, and other open spaces in and near London, for the benefit of the metropolis at large. These, while arising out of, and dealt with under, special Acts of Parliament, are clearly administrative municipal functions, and their benefits extend to the whole of London. Accordingly they, with their appropriate revenues and debts, would naturally vest in the new Corporation. Bridges, which have already been included in class B, partake of the same characteristics. The City Corporation maintains out of trust funds appropriated to the purpose London Bridge, Southwark Bridge, Blackfriars Bridge, and the new Tower Bridge; and it will be observed that the southern approaches of these bridges, and the whole of the Tower Bridge and its approaches, are outside the ordinary jurisdiction of the Old City. In the event of the municipalisation of the supply of gas and water and electric lighting, which are now in the hands of private companies under a more or less effective control as regards quantity, quality, and price, these functions,—either in their entirety or subject to any modification short of municipalisation—would pass, under appropriate conditions, to the Corporation of the new City.

D. Other municipal functions.

54.—D. The other duties of municipal administration, which in an ordinary municipality are, as a rule, exercised by the town council, are, in London, now vested in the Old City, partly in the Corporation, but more generally in the Commissioners of Sewers, and outside the City in the vestries and district boards, in burial boards, overseers, commissioners of baths, washhouses, and public libraries, and guardians of

* *See* Andrews, 12,451–9; Antrobus, 12,976–99; Boulnois, 12,575–80; Cohen, 12,827–53; Dewey, 11,479–98; Dickinson, 13,487–685; Harris, 13,068–71; Holland, 11,912–9, 11,955–12,000; Leete, 10,559–82, 13,219–301, 13,329–32; Longstaff, 13,689–800, 13,991–14,166; Robinson, 11,816–65; H. J. Smith, 11,717–85; J. E. Smith, 12,238; Tagg, 10,759–87; Westacott, 13,174–89; Whale, 12,342–61.

† *See below*, paragraph 106.

the poor. Many of these duties, including practically the local sanitary administration of London, are of the greatest possible importance, and will require special examination when we deal with the functions of the local authorities.

2. Powers, Duties, and Property of the Old Corporation.

55. We have indicated the powers and duties which we think should be transferred from the old to the new Corporation. As a general rule revenues and properties which are specially appropriated to those powers and duties will, of course, be transferred also. We proceed to consider some of these transfers in detail, and also to consider the way in which the remaining powers, duties, and property of the existing Corporation should be dealt with under our scheme. 2. Powers, duties, and property of the old Corporation.

56. After the transfer to the new Corporation of the duties, powers, and revenues applicable to the whole space of the Metropolis, there will remain the duties of local administration of the area of the Old City, and the management of various charitable, educational, and other institutions and trusts, which are in their nature or origin confined to the inhabitants of that district. Local administration of the area of the Old City, &c.

57. At present the municipal administration of the City is practically in the hands of the Commissioners of Sewers, and though they would not continue to exist under that name, their duties would naturally fall to be discharged by a local authority similar to those of the other districts outside the Old City, and the constitution of this authority we will presently discuss. Functions now entrusted to the Commissioners of Sewers.

Property, &c.

58. The duties now exercised by the Corporation of the Old City are so mixed up with its property that it will be well to consider in greater detail than has yet been given what may properly be left to the local administration of the Old City and what should be transferred to the new Corporation. We have already expressed the opinion that bridges and markets should be transferred to the new Corporation, and with them would pass the Bridge House and Blackfriars Bridge Estates, and the debts for which they and the market tolls are liable. Due steps should be taken to secure the extinction of these debts within a reasonable time, say 30 years, as would be done in an ordinary borough. Property, &c. Bridges. Markets.

59. The Corporation of the Old City has, with but few exceptions, been under no obligation to provide for the reduction and extinction of its debts, and its loans have, in fact, been raised by the issue of bonds for a certain number of years, at the expiration of which they may be freely renewed.* When such debts have been contracted for special purposes, and are primarily secured on special estates, they are, as a rule, ultimately secured on the general estates of the Corporation. To propose a scheme for the redemption, with or without consolidation, of such debts, preserving the rights and securities of creditors of every class, would be a work of great delicacy, upon the details of which we do not enter. We can, however, have no doubt as to the propriety of applying to the Corporation's debts obligations of repayment similar to those which are imposed upon other municipal corporations. Corporation loans generally.

60. The very clear and able analysis of the Corporation accounts prepared for us by Mr. Gomme, statistical officer of the London County Council, shows that, if this were done, the net revenues of the Markets, now about 120,000*l.* per annum, would barely suffice to discharge the debt† (2,664,000*l.*) upon them. Market debt.

61. Much the same may be said of the Bridges. The revenues from the Bridge House and Blackfriars Bridge Estates now amount to about 93,000*l.* a year. Nearly 88,000*l.* of this is devoted to defraying the annual cost—24,000*l.*—of maintaining London, Southwark, and Blackfriars Bridges, and to meeting the charge—65,000*l.*—for interest and sinking fund on the money borrowed for these bridges and for the construction of the new Tower Bridge—1,195,000*l.* (including 134,000*l.* paid off and re-borrowed)‡ of which 1,060,000*l.* is still outstanding. There remains, therefore, only a net balance of 5,000*l.* a year to meet the cost of maintaining the Tower Bridge, Bridge debt.

* *See* Payne, 6853, 6927, 7011.

† Including Deptford Market (76,000*l.*), the Coal Market, and the whole of the Metropolitan Cattle Market debt (478,600*l.*, of which 78,600*l.* is directly charged upon the general estates of the Corporation). The Deptford Market revenue has shown a very serious falling off in recent years. *See* Gomme, 3896–900 4099.

‡ *See* the City Chamberlain's accounts for 1892, p. 168.

estimated at 6,000*l.* a year. It is anticipated that the revenues from the estates will considerably increase in the future,* but it will be some little time before equilibrium is established; and even if no new bridges were required, any surplus revenues would be appropriately devoted towards defraying the cost of maintaining the other Thames bridges now under the control of the London County Council.

Special trust and statutory funds.

62. Before coming to the general estates of the old Corporation there are some other trust and statutory funds now controlled by it for purposes more or less common to the whole of London, viz.:—

(1.) The Clerkenwell Improvement.
(2.) The Holborn Valley Improvement.
(3.) The Grain Duty.
(4.) Parks and Open Spaces.
(5.) The Gresham Estates.
(6.) The City of London Court.

Clerkenwell Improvement; Holborn Valley Improvement.

63. (1 and 2.) The Clerkenwell Improvement Fund shows a small annual surplus; the Holborn Valley Improvement a large deficit, which falls on the general estates of the Corporation. Deducting assets from liabilities the net debt outstanding on these accounts may be put at 429,000*l.*, for which the general estates are liable.†

Grain Duty. Parks and open spaces.

64. (3 and 4.) The Grain Duty forms the primary or collateral security for various loans raised for the acquisition of Epping Forest and other open spaces in the neighbourhood of London. The proceeds of the duty are about 18,000*l.* a year, of which about 8,000*l.* is applied to meet the interest on the outstanding debt (219,000*l.*), and the remainder is applied to meet the cost of maintaining Epping Forest, Burnham Beeches, Coulsdon Commons, Highgate Woods, and other open spaces acquired by the Corporation under the Corporation of London Open Spaces Act, 1878 (41 & 42 Vict. c. cxxvii). The Grain Duty will, under the Metage on Grain Act, 1872 (35 and 36 Vict. c. c.), cease in 1902, by which time the outstanding debt on account of open spaces (including Highgate Woods) may be expected to have been reduced to 195,000*l.*, which will then fall on the general estates of the Corporation.‡ This amount includes 5,000*l.* borrowed in 1888, upon the joint security of the Grain Duty and of the general estates of the Corporation, to meet the cost of laying out Highgate Woods and Kilburn Park, presented to the Corporation by the Ecclesiastical Commissioners, to be maintained in perpetuity as open spaces for the benefit of the inhabitants of London. The interest on a sum of about 20,000*l.*, bequeathed by Mr. William Ward, for the benefit of the poorer classes, is, under a scheme sanctioned by the Chancery Division of the High Court, applied so far as it will go to meet the cost of maintaining Kilburn Park, but it does not suffice to cover the whole expenditure thereon.

65. Assuming that these four funds are all transferred to the new Corporation, they will carry with them a net debt of nearly 625,000*l.*

Gresham Estates.

66. (5.) The Gresham Estates, now devoted to the maintenance of the Royal Exchange and the Gresham College, are just about sufficient to meet the charges upon them. The uses of these trusts, in the administration of which the Corporation is associated with the Mercers' Company, extend beyond the residents of the Old City, and we think the new Corporation should succeed to the position of the Corporation of the Old City in respect of them.

City of London Court.

67. (6.) The City of London Court is a valuable possession, its revenue from fees exceeding the outgoings, on an average of the last four years for which we have figures, by about 4,000*l.* per annum. It is to all intents and purposes a county court, and we should look to its ultimately passing, like the other county courts of the Metropolis, under the authority of the Imperial Government, but until an equitable arrangement is made for this transfer, it would naturally become the property of the new Corporation.

General estates of the Old City Corporation.

68. We come now to the general estates and revenues of the Old City Corporation. We have asked for, but have been unable to obtain,§ an authoritative statement of their capital value, but more witnesses than one,‖ speaking apparently with some confidence in their knowledge, have told us that, after providing for every liability,

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* *See* Brand, 7803–4, 7818–20; Gomme, 4098.
† *See* Gomme, 4100.
‡ *See* Gomme, 4098.
§ *See* Questions 7066, 8354.
‖ *See* Cohen, 12,855; Payne, 7060–1.

the Corporation has a considerable surplus, exclusive of its public buildings. The estates at present produce an annual net revenue of about 160,000*l.*, with a prospect of considerable future increase, and are solely or ultimately liable for the following debts :—

	£
Holborn Valley Improvement Act - -	429,000
Parks, Open Spaces, and Highgate Woods -	195,000
Leadenhall Market Approach - -	148,000
Pauper Lunatic Asylum - - - - -	8,000
	£780,000

We have excluded Bridge and Market debt from this calculation, though part (78,600*l.*) of the Metropolitan Cattle Market debt is directly, and the Tower Bridge debt is ultimately, charged upon the general estates.

Institutions left to the Old City.

69. We think that the whole of these estates should be transferred to the new Corporation, with all the attendant liabilities, including charges for debt, pensions, and maintenance of buildings transferred, but that the new Corporation should pay over to the local authority of the Old City an annual sum, say 10,500*l.* a year, or, as may be preferable, should assign suitable estates sufficient to meet the expenditure on the Freemen's Orphan School, Almshouses, and other institutions left to its management, and certain donations now made to City hospitals, &c. It might be convenient to leave to the Old City some, at all events, of its present buildings and offices.

Revenues assigned to it.

Institutions transferred to the new Corporation.

70. The Guildhall, with its Library and Museum, the Mansion House, and such Schools and Institutions as exist for the whole of London, viz. :—

The City of London School,
Ward's City of London School for Girls, and
The Guildhall School of Music,

would naturally be vested in the new Corporation.

Management of other institutions.

71. The right of the City to representation in the management of—

The United Westminster Schools,
The Royal Hospitals,
Morden College,
Sir John Soane's Museum,
Aske's Charity, Hoxton,
Epping Forest,
West Ham Park,
The Thames and Lee Conservancies,

and any other matters over which the City has a controlling element, would pass to the new Corporation, to be exercised upon the conditions on which they have been hitherto exercised by the Corporation of the Old City.

Ceremonial functions of the Lord Mayor, &c.

Ceremonial functions of the Lord Mayor, &c.

72. As the new Corporation would thus inherit and succeed without breach of continuity to the powers and possessions of the existing Corporation, and as it would be within its discretion to assign to the Lord Mayor such sums as might be thought proper to meet the expenses of his office, we may look for the maintenance in the future of all the useful and many of the stately traditions of the past; and in particular the Lord Mayor may be trusted to represent before the world the great community of which he is the head, with the splendour becoming his position. It may be noted in this connection, that among the privileges which would be transferred, should our recommendations be approved, would be the right of special access of the Corporation to the Sovereign, and of the presentation of petitions at the Bar at the House of Commons.

Officers.

Officers.

73. The officers of the old Corporation should, as far as possible and convenient, be transferred to the new, on equitable terms of employment, remuneration, and retirement if necessary. As the functions of the Commissioners of Sewers would be vested in the new local authority for the Old City, their officers would naturally remain attached to it, and it may also be convenient that some of the officers of the old Corporation should remain connected with the Old City.

Law and Justice.

Law and justice. The sheriffs.

74. The Sheriffs of London should be appointed by the Council of the new Corporation, as provided in the Municipal Corporations Act, 1882. The jurisdiction of the court of Quarter Sessions and justices of the County of London should extend into the area of the Old City, which should cease to be a county of itself.

Magistracy.

75. The justices by charter of the City of London should be abolished, but the names of the existing Lord Mayor and Aldermen of the Old City of London should be included in the Commission of the Peace for the County of London. It would probably be ultimately found convenient to extend the Metropolitan Police Court Acts to the Old City, and to make the Mansion House and Guildhall Justice Rooms Metropolitan Police Courts, as elsewhere; but pending legislation for the police courts of the whole metropolis we see no objection to the present aldermen continuing to serve these courts so long as they can furnish a rota. The jurisdiction of the aldermen appears from the evidence given before us to be both efficient and popular with the classes which frequent the justice rooms, and the assistance of commercial men is not unreasonably claimed to be an advantage in dealing with commercial cases.

Police Courts.

76. In the large provincial municipalities paid and unpaid magistrates not uncommonly sit together or in adjacent courts, and we think the same system might be usefully tried in London, especially if means could be found of allotting to separate courts the trial of cases not properly of a criminal character though involving penalties, such as summonses under the Education, Metropolis Management, Building, and other Acts, which often require the attendance of respectable women and young children, to whom the contaminating atmosphere and companionship of the ordinary police court are an unnecessary evil.

City of London Court.

Mayor's Court.

77. We have proposed that the City of London Court should pass to the new Corporation, at all events for the present, and a similar course should be followed with regard to the Mayor's Court, the jurisdiction of which should be extended over the whole metropolis. The new Corporation would also take the place of the Corporation of the Old City in relation to the London Chamber of Arbitration. Obsolete courts and offices, such as the Court of Hustings, the Borough Court and Bailiwick of Southwark, and the judicial power of the City Chamberlain over apprentices and masters, which is concurrent with that of the magistrates, should be abolished.

Quarter Sessions. Recorder. Common Serjeant.

78. The Recorder of London should be the Chairman of Quarter Sessions for the County of London. The present Chairman of Quarter Sessions and the Common Serjeant should be Deputy Recorders, each with power to hold a Court of Quarter Sessions by himself subject to a scheme to be approved by a Secretary of State. Power should be taken for the new Corporation to petition the Crown for the appointment of additional Deputy Recorders as required. No sufficient reasons exist for maintaining the present anomalous mode of appointment of the Recorder, and we recommend that he should in future be appointed, as in other boroughs, by the Crown.

Central Criminal Court.

79. The Central Criminal Court should continue as at present, except that the aldermen should no longer be included in the Commission. In any legislation dealing with this court it might be well to restrict its area to the Administrative County of London, apart from special removals under Palmer's Act.

Freemen and Liverymen.

Freemen and liverymen.

80. Freedom by patrimony, apprenticeship, redemption, and gift, should be abolished, with the exception that it should be lawful for the new Corporation to grant the honorary freedom of the City of London to any person as a mark of distinction. The existing freemen of the City, who are liverymen, would retain the Parliamentary franchise, and the freemen, their widows, children, or orphans, should retain such rights to charities and schools as they at present possess. We elsewhere recommend that the management of these schools and charities should be reserved to the local governing body of the Old City.

81. The power of granting and fixing the numbers of the Livery of the City Companies should be transferred to a department of the Imperial Government, probably the Privy Council, which at present deals with the grant of charters to such companies.

Customs of the City of London.

82. The customs of the Old City, so far as they are inconsistent with the common law, remain to be considered. The only important customs at present appear to be those of Market Overt and Foreign Attachment. Of these the latter is practically obsolete, as a recent decision of the House of Lords has rendered it necessary to observe the custom in the letter, and modern conditions of commerce make it almost impossible to do this.* The question whether the custom of Market Overt should cease or be extended to the area of the enlarged City must depend upon the view taken of its expediency in relation to commerce. No reason can be given for upholding such a custom in Cheapside which would not extend to the Strand, but the determination of the general question seems to lie outside our particular inquiry. Customs of the City of London.

Ecclesiastical Patronage.

83. The Municipal Corporations Act, 1835, provided (sec. 139) that all ecclesiastical patronage in the hands of the corporations with which it dealt should be sold as the Ecclesiastical Commissioners might direct, that the proceeds should be invested in Government securities for the use of the body corporate, and that the annual income payable thereon should be carried to the account of the borough fund. The question of the sale of ecclesiastical patronage generally is now occupying the attention of Parliament, and, pending a decision upon it, we only recommend that the patronage of the City of London should vest in the new Corporation, and should be dealt with hereafter as Parliament may determine. Ecclesiastical patronage.

The Irish Society.

84. The question of the Irish Society requires to be separately noticed. This may not inaccurately be described as a Committee of the Corporation invested with certain estates in Ireland, but upon what trusts and obligations (if any) is a matter of dispute. The Society consists of a governor (an alderman), a deputy governor, and 25 assistants (five of them being aldermen and one the Recorder), and 12 assistants retire every year, when their successors are elected by the Common Council. The Irish Society.

85. The Commissioners of 1854 recommended† that the Irish Society should be dissolved, that its trusts should be declared by Act of Parliament, and that new trustees should be appointed by the Lord Chancellor of Ireland. Select Committees of the House of Commons examined the case of the Society in 1889, 1890, and 1891, and in the last year a somewhat narrow majority further recommended that the property of the Society should be transferred, part to the Corporations of Derry and Coleraine, and the rest to any elective county authority which might be created in Ireland, being only vested in trustees (to be appointed by the Lord Chancellor of Ireland) until such authority should be created. The County Council have adopted these recommendations in their proposals.

86. We understand, however, that litigation is now proceeding in the Chancery Division in Ireland, to which the Corporation, the Irish Society, and the City Companies interested have been made parties, with the view to a determination of the trusts upon which the properties of the Society and of the Companies are said to be held. Pending the result of such litigation we can make no recommendation as regards the uses of the property administered by the Society; but it is necessary that provision should be made for maintaining the administration that exists, and we recommend that the powers of election now vested in the Common Council should be transferred to the new Corporation, who should, as existing members of the Society retire whether by effluxion of time or otherwise, elect from their own body their successors, so that the Society would remain composed of a Governor, the Recorder, and 24 members, 12 retiring annually and being ineligible for one year.

Police.

87. The question of the police in the area of the Old City must be dealt with by itself. The City Police is now under the control of a Commissioner appointed by the Common Council, with the approval of the Secretary of State, and removable for misconduct, either by him, or by the Court of Aldermen with his approval. The pay, Police.

* *See* Kemp, 4544–60, 5914–34.

† Report, page xxxvii. (Recommendation 26).

clothing, and general equipment of the force are dealt with by a Committee of the Court of Common Council, but the Commissioner is practically independent in all matters relating to the discipline and disposal of the force, the control of the Corporation over him being much less than that exercised by the Watch Committee of an ordinary municipality over their chief constable. The expenses of the Force are paid, one-fourth—about 30,000*l.*—by the Corporation, out of their general estates and revenues, and three-fourths out of the police rate, which is levied on the Wards together with the ward rate to meet ward expenses.

88. The County Council have proposed* that this force should be transferred on amalgamation to the new Corporation, and that one-fourth of its cost should continue to be paid by the new Corporation out of their general revenues, the remainder, about 90,000*l.*, being raised, as at present, by rate. We cannot say that we concur in this proposal. Though we have no reason to suppose that any serious harm results from the present arrangement, the advantages of having the whole of the Police of the Metropolis under one administration are so obvious that we do not see that any counterbalancing advantage would be gained by vesting in the new Corporation the control of a small part of it. It has been pointed out by the Commissioner of Metropolitan Police† that any control of the police within the area of the Old City by a body having general jurisdiction over the Metropolis without the City would be a very different thing to, and might lead to much more serious inconvenience than, the control of the police within the Old City area by a body having general jurisdiction only within that area. With whom the control of the police of London, as a whole, should rest, it is not for us to discuss; but we can only say that, so long as it remains under the Imperial Government, the police within the area of the Old City should form part of it.

89. If the force within the Old City were thus fused with the Metropolitan Police there would result, on the present figures, an advantage to the London ratepayers of over 50,000*l.* per annum, supposing that the Metropolitan Police Force were correspondingly increased, and that the Imperial Exchequer contributed, as in the rest of London, four-ninths of the cost of the pay and clothing of the whole, as follows:—

	£
Total present cost of City Police Force per annum (say) -	120,000
Of which there is paid by the Corporation out of its general revenues - - - - -	30,000
Leaving to be raised by Police rate - - - -	90,000

As proposed:—	£
Total cost of addition to Metropolitan Police to replace the Old City Police Force (say) - - - -	120,000
Contribution from Imperial Revenues (four-ninths of whole) -	53,333
Leaving to be raised by rate - - - - -	64,667

90. It has been urged on behalf of the Old City that if its area were policed by the Metropolitan Police Force, there would be a danger lest the Commissioner should assign to that district a number inadequate to protect the banks and warehouses, with all their valuable contents, which are often left entirely unoccupied at night, even by a caretaker. The experience of the manner in which the Police is managed by the Watch Committees in large provincial towns with business quarters does not justify this apprehension, and it can hardly be suggested that the Imperial authorities would not have the necessary regard to interests so important. In addition it may be remarked that there would apparently be no difficulty in arrangements being made for the assignment of a larger number of police than the Commissioner thought necessary, so as to meet the views of the local authority, upon its paying for them, as banks, docks, railway companies, and other institutions pay for their own special police.

91. The Chairman of the Essex County Council, Mr. Andrew Johnston, has thrown out the suggestion‡ that, in the event of the control of the Metropolitan Police being

* *See* Harrison, 9134–53, and Appendices XII. (pp. 9 and 14), XV., and XVI.
† *See* Bradford, 11,047–57.
‡ *See* Johnston, 8252–330.

transferred to the new Corporation, it might be convenient for the area in the south-west of Essex, now under the control of that force, to be separated from it, and given its own police jointly with West Ham. It may be remembered that this suggestion is in agreement with the Report of the Select Committee of the House of Commons in 1867, to the effect that the remoter districts of the Metropolitan Police area might be annexed to the neighbouring county districts where an efficient police had been established. So long, however, as the Metropolitan Police continues, as at present, under the control of the Home Secretary, no change is desired.

Finance.

92. We propose that there should be one City or Borough Fund for London, and that there should be a rate levied by the new Corporation, to be called the City or Borough Rate.* So far as any functions may be entrusted to the Council of the Old City which are at present vested in the London County Council as regards the rest of London, it would be necessary to have a special Fund and Rate, as well as a general Fund and Rate, but we contemplate that the existence of the former should be temporary only. We think it of the highest importance that the relation of the central body to the local bodies should be uniform throughout London, and that the separate funds and rates should only exist until the functions of the District Councils generally are assimilated to those assigned to that of the Old City, should the re-settlement of the other districts not be contemporaneous with that of the Old City. Finance.

93. The County Council have made detailed proposals† for the management of this fund, and the incorporation in it of the several funds now managed by the County Council and the old Corporation, which seem to us, in the main, unobjectionable. These contemplate that a separate account should be kept of, *inter alia*, markets receipts and expenditure, with the provision that any net surplus receipts therefrom, after allowing for all contingent liabilities, should be devoted to the extension or improvement of market accommodation, the reduction of tolls, or otherwise for the purposes of markets generally throughout London. We approve of this proposal, but in view of the uncertainty of the receipts from many of the markets, we think that a considerable reserve fund should be built up out of these surplus receipts before they are applied as proposed.

94. The proposals of the County Council contemplate the formation of a separate "Corporation Estates Account," into which all receipts in the nature of income arising from property transferred from the Corporation of the Old City, except market receipts, should be paid, and upon which all debts and sums of money secured upon or payable out of any of those receipts should be made a first charge, according to their several priorities. The proposals suggest that any surplus remaining after satisfying these charges should be divided according to its origin into portions under the following heads, viz.:—

(1.) Charity estates.
(2.) Bridge House and Blackfriars Bridge Estates.
(3.) Other trust and statutory funds.
(4.) General estates.

And should be respectively applied to—

(1.) Charitable objects.
(2.) Other bridges and tunnels in London.
(3.) Objects similar to those to which such portion is now applicable.
(4.) Any purposes to which such portion may now be applied.

95. It appears to us that there would be great and unnecessary difficulty in working out this plan, and that it would be better to keep these four accounts separate,—as we have already recommended with regard to the markets, and, in effect, to the bridges —until at least the obligations outstanding in respect of any one were satisfied, when the question of merging the assets of such account in the general estates might be reconsidered. Meanwhile, after allowing a sufficient reserve, the balance on the General Estates Account should pass into the City or Borough Fund.

96. If the City or Borough Fund is insufficient to meet the expenditure of the Corporation in any year, the deficit should be made good by a rate to be levied for

* Borough Fund and Rate are the terms used in the Municipal Corporations Act, 1882 (sections 139 to 149).

† *See* Appendix XII. (pp 15–18).

that purpose over the whole of the Metropolis, subject to the provision as regards a special rate already referred to in respect of the Old City.

97. In addition to the purposes already specified, the County Council has proposed that the council of the new Corporation should have power to vote the expenditure of money out of the City or Borough Fund for the purposes of entertaining and of conferring the freedom of the City of London upon, and for making presentations to, distinguished persons, and of contributing to public charitable objects, and of making inquiries into any matter of municipal concern, and of illuminating and decorating the streets on occasions of public rejoicing, and of the purchase of works of art and books for civic galleries and libraries, and of maintaining the City of London School and the Guildhall School of Music.

In these recommendations we concur, but we think it necessary before any expenditure is incurred upon objects beyond these, that the consent of the Local Government Board should be obtained. We think also that the power of the new Corporation to alienate Corporate property should be made subject to the restrictions imposed by the Municipal Corporations Act upon town councils generally.

98. We think also, that the Corporation should be subject to restriction as to the amount of debt which they may charge upon future ratepayers, and that they should be bound to pay off their debts within a limited period. What such restrictions or limitations should be is a matter which we cannot undertake to settle, and must be left to be determined from time to time by the Government and by Parliament. It may, however, be laid down as a general rule that the amounts to be borrowed, and the purposes to which they may be applied, should be strictly defined, as those of the present London County Council are in the Acts by which loans are sanctioned,* and that the duration of any loan should never exceed the probable duration of any work for the execution of which it was raised.

99. The treasurer of the new Corporation should, we think, retain the title of Chamberlain, but he should be elected, as provided by the Municipal Corporation Act, by the Corporation, and should hold office on the same conditions as a borough treasurer.

100. Besides the restrictions imposed upon ordinary boroughs by sections 139 to 149 of the Municipal Corporations Act, 1882, as regards payments out of the Borough Fund, the Local Government Act of 1888 laid upon the London County Council further restrictions from which county boroughs were in terms exempted, viz.:—

(i.) That all payments out of the County Fund should be made in pursuance of an order of the Council, signed by three members of the Finance Committee present at the meeting, and by the clerk of the Council. (Section 80.)

(ii.) That no order for the payment of money should be made, and no liability exceeding 50*l.* be incurred, except upon a resolution of the Council passed on a recommendation of the Finance Committee. (Section 80.)

(iii.) That three clear days before any meeting of the Council a summons should be sent to every member specifying the business to be transacted, and stating every sum of which payment was to be ordered, and the amount of every liability over 50*l.* which was to be incurred, with the purposes for which they were to be paid or incurred. (Section 80.)

101. We have had evidence† to show that some difficulty is experienced by large Corporations in complying strictly even with the comparatively elastic provisions of the Municipal Corporations Act as regards finance, and the ingenuity of the London County Council is taxed to find means of observing the letter of the more rigid requirements of the Act of 1888.‡ The result of these provisions is to load the agenda papers and weekly cash statements of the County Council (of which we were shown copies)§ with an unnecessary mass of details, which serve no end but to provoke useless discussion. We are strongly of opinion that no sufficient reason exists for subjecting the finance of the new Corporation of London to greater restrictions in this respect than those imposed upon the finance of other municipal boroughs.

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* *See* Rotton, 743; Dickinson, 1263.

† *See* Clare (Liverpool), 10,161–272; Johnson (Nottingham), 9469–520.

‡ Dickinson, 1039.

§ Not printed. The agenda paper contained 48 closely printed folio pages besides a weekly cash statement of over 12 pages of detailed figures.

Audit.

102. It seems doubtful whether the machinery of audit provided by the Municipal Corporations Act would be well suited to the circumstances of the Metropolis. Under it three auditors are annually appointed, two being elected by the burgesses and one (who must be a member of the Council) nominated by the Mayor, and the term of office of each is one year only. There is no provision in the Act as to the remuneration of these officers. Under the organization of the Old City the City's cash and other principal accounts are audited by four persons serving for two years,—two going out of office each year, and being ineligible for 12 months; and these gentlemen are elected by the Livery in Common Hall under a statute of George I. Under the general provisions of the Local Government Act, 1888, the accounts of the London County Council are audited, like those of other county councils, by district auditors appointed by the Local Government Board. The Act of 1894 provides that the accounts of parish councils and of urban district councils shall also be audited by the district auditors of the Local Government Board, but the construction of the Act appears somewhat uncertain in relation to the accounts of London vestries. We think it expedient to maintain for the new Corporation the machinery of audit provided for the London County Council, and we would recommend that the latest legislation should be followed, by requiring that the Corporation accounts should be audited by two district auditors appointed by the Local Government Board, with whom, however, might be associated a third auditor appointed by the Lord Mayor. Audit.

3. Constitution and Functions of the Local Authority in the City and other Local Authorities in London.

a. Functions of the Local Authorities.

103. As we have already said, we contemplate the establishment in the Old City of a local authority for the discharge of the functions of local administration at present exercised, within that area by the Common Council and the Commissioners of Sewers, and outside by vestries and district boards. Functions of the local authorities.

These functions comprise, amongst others :—

(1.) Sanitary administration generally, including the sanitary construction and drainage of new buildings, control over unhealthy dwellings under the Housing of the Working Classes Act, and sewers other than main sewers.

(2.) Maintenance of highways other than main roads, including the regulation of locomotive traffic and tramways upon them, and small street improvements.

(3.) Valuation and assessment and registration of voters (in cases where the vestries exercise the powers of overseers).

(4.) The provision and maintenance of small open spaces and mortuaries.

(5.) Powers as regards electric lighting and (as regards the four small companies only) gas supply.

(6.) The administration of the Overhead Wires and Sale of Food and Drugs Acts.

Powers now exercised by the Corporation or Commissioners of Sewers in the Old City, and outside it by vestries and district boards.

These functions, with their respective officers, buildings, sources of income, and debts, would, subject to the observations made elsewhere as to the partition of powers and duties between the central and local bodies, remain with the local authority of the Old City.

104. The powers of the Corporation and Commissioners of Sewers in the City, however, extend beyond these, embracing in addition powers as regards—

Dangerous structures,
Unhealthy areas,
Provision of lodging-houses for the working classes, } Under the Housing of the Working Classes Act.
Licensing of offensive trades and slaughter-houses, and registration and inspection of dairies.
The administration of the Sky Signs and Weights and Measures Acts,

which are in the rest of London exercised by the County Council. These powers, as well as all or most of those now exercised by the Common Council in the area of the Old City, would, subject to the qualification already suggested, naturally pass to the new Corporation. Powers now exercised in the Old City by the Corporation or Commissioners of Sewers, and outside it by the County Council.

105. The duty of inspecting common lodging-houses is now entrusted in the Old City to the Commissioners of Sewers, and outside it to the metropolitan police, but negotiations are, we understand, proceeding with the view to its transfer in the latter case to the County Council. If this transfer should take place, the duty of inspecting these Inspection common lodging-houses.

houses in the area of the Old City would naturally also pass to the new Corporation, otherwise it should be confided to the police controlling the Old City.

Partition of powers between central and local authorities.

106. We have already stated that we have taken much evidence on the subject of the partition of powers between the central body and the local bodies, to which we desire to call particular attention.* We venture to repeat that we think it important for the sake of the dignity and usefulness of the local bodies, whose status should be enhanced as much as possible, as well as for the sake of the central body—where a continuous increase of work may be expected requiring relief from needless administrative detail—that no duties shall be thrown upon the central body that can be equally well performed by the local authorities.

Officers entrusted with the enforcement of penal statutes should generally be dissociated from local influences, and local administration should be uniform throughout London under bye-laws framed by the central authority.

107. It must at the same time be remembered that there is often an administrative advantage in dissociating from local influences officers entrusted with the enforcement of penal statutes. This would apply, for instance, to the administration of the Weights and Measures Act, now enforced by the County Council and Common Council, and the Food and Drugs Act, now administered by the Commissioners of Sewers and the vestries and district boards within and without the Old City respectively. In such matters as the licensing or inspection of cow-houses, dairies, slaughter-houses and offensive businesses, and, no doubt, in many other cases of a similar kind, the central body should, to whatever hands the immediate administration is entrusted, have, in accordance with the general principle we have already enunciated, power to regulate the performance of the work by general byelaws, so as to secure uniformity of administration. The administration of the Petroleum and Explosives Acts, involving as it does the superintendence of their removal from place to place, as well as of their storage, should, we think, for convenience sake, be in the hands of the central authority.

It might be well in any legislation to provide some machinery for such a repartition of functions between the central and local authorities as experience might prove desirable, without having recourse to Parliament in each particular case.

Baths and washhouses, libraries, and vaccination.

108. The Commissioners of Sewers also provide burial grounds, a duty which outside the area of the Old City is entrusted to Commissioners appointed by the vestries of the several parishes. Many of our witnesses† have urged that the powers of the vestries and district boards should be extended so as to embrace these functions, and also the provision of Public Libraries,—a duty which in the Old City rests with the Court of Common Council, and outside the Old City with Commissioners appointed by vestries and district boards adopting the Public Libraries Acts,—and of Baths and Washhouses, which is in the hands of Commissioners appointed by the vestries both within and outside the Old City. In this recommendation we concur, and would desire that all these powers, as well as those of the present vestries and district boards, should, subject to the observations made above, be entrusted to the new local authority of the Old City. We think, however, that it might be well to retain a power of appointing on the Libraries' and, perhaps, the Baths and Washhouses' committee gentlemen interested in these matters who are not members of the Council. We think that it would also be well if the Registration of Births, Deaths, and Marriages, and the enforcement of the Vaccination Acts, were entrusted to the same authority, under the control of the Imperial Government, as at present. Their present association with the administration of the Poor Law is accidental, and may lead to misconception.

Institutions left to the Old City.

109. With the local authority of the Old City would remain the management of many Charities and Trusts, and the property belonging thereto, including some, if not all, of the following, viz.:—

The Freemen's Orphan School.
The London Almshouses.
The Gresham Almshouses.
Wilson's Loan Charity.
Emanuel Hospital (Pensions).
The Mitchell (City of London) Charity.
The City of London Parochial Charities.
Russell's Charity.

Revenues assigned to the Old City.

110. Inasmuch as these and other functions, which we have not recommended should be transferred to the new Corporation, involve an expenditure in excess of the income derivable from the trust and other estates applicable thereto, we have proposed that the new Corporation should, on taking over the general estates and revenues of the

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* *See above*, paragraph 51.

† *See* Bonthron, 13,352–61, 13,400; Boulnois, 12,575–8; Harris, 13,068–71; Holland, 11,912–20; Robinson, 11,816–20; J. E. Smith, 12,235–44; Tagg, 10,808–11.

old, assign to the local authority of the Old City suitable revenues or a fixed annual payment to meet such expenditure on these objects as could not properly be met out of rates, together with the appropriate buildings and officers. Some assignment is clearly necessary in respect of the Gresham almshouses, since the endowment of the Gresham trusts, out of which they have been sustained, would pass to the new Corporation.

Officers. Rating powers.

111. The Council of the Old City should, like the local bodies of the other districts of the Metropolis, have power to appoint officers and levy a rate, and should be subject to the same provisions as regards audit as district councils generally under the Local Government Act of 1894.

b. Constitution of the Local Authorities.

Constitution of the local authorities.

112. We turn now to the constitution of the local authority for the Old City area, in considering which we have again borne in mind the circumstances of the vestries and district boards, so that what we may say may apply with but slight modification to them.

(i.) *Composition and Numbers.*

Composition and numbers.

113. The present Common Council of the City consists of no less than 232 members, viz., 26 aldermen and 206 common councillors, a number which we cannot regard as being in any way necessary for efficient administration. The number of the Commissioners of Sewers is 92, and even this number seems large. The maximum number of members allowed by the Act of 1855 to a vestry or district board is 120, and most of the witnesses who were in a position to express an opinion on the subject* thought this number unnecessarily and even inconveniently large, an opinion in which we concur. The largest number of members comprised in a provincial corporation is, we believe, 72, and this much exceeds the number found sufficient for towns far larger in size than the Old City.

114. In bringing the organization of the Old City into lines applicable, when not already existing, to other parts of the Metropolis, some reduction in number in the governing body is necessary, besides other changes which may appear considerable, but the experience of the Municipal Corporations Act of 1835 leads us to believe that all of them may be accomplished without practical difficulty. The new governing body should be elected as elsewhere in the Metropolis, and the right of election should be exercised under the enlarged franchises of the Act of 1894. We think reasons of analogy as well as a large preponderance of advantage lead to the conclusion that the governing body should be elected in thirds every year, the term of office of each member being three years. A suitable number of members would in our judgment be 72, and the Old City should be divided into 24 wards, each represented by three members. The present Commissioners of Sewers might be invited to frame a scheme for this division of the Old City, but in the event of any difficulty arising, the work could be otherwise performed. We think the body thus elected should be called the Council of the Old City, and the elected members should be empowered to choose annually from the citizens of the Old City a mayor, and the governing body should be styled the Mayor and Council of the Old City. As a transitory arrangement which would be useful in maintaining some continuity of administration, the existing aldermen should be entitled to sit as additional life members of this body. The Mayor should be *ex officio* justice of the peace for the County of London, and, as we have already said, the existing aldermen who are now justices of the Old City would properly become justices of the County. We have not suggested that aldermen should form permanently a part of the new governing body of the Old City. As we have intimated, we have had in view the other parts of London, and whilst it would be easy, and for many reasons desirable, to confer on these governing bodies the name of Council, and to enable them to elect Mayors of their respective districts, no element analogous to that of alderman is found in their present composition, nor have we met with any desire to adopt such an addition.

Mayor and council.

No aldermen.

115. We may here recall a question to which allusion has already been made. Many witnesses† have urged the propriety of establishing some personal connexion between the local governing bodies and the central authority of the metropolis, and we concur in thinking this a desirable object. We believe it could be best secured by making, where the areas are conterminous, the members of the central body elected for any

Connexion between central and local authorities.

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* *See* Dewey, 11,413–6 ; Robinson, 11,794–5 ; Holland, 11,869–70 ; J. E. Smith, 12,145–53.

† *See* Leete, 10,632–50 ; Tagg, 10,787–96 ; Dewey, 11,499–520 ; H. J. Smith, 11,712–29 ; Holland, 11,943–9 ; J. E. Smith, 12,188–93 ; Whale, 12,362–7 ; Westacott, 13,207–12.

district *ex officio* members of the local governing body of the district. The four (or, if our suggestion is adopted, the eight) representatives of the Old City in the new Corporation would then be members of the Council of the Old City. We have been assured by many witnesses* entitled to speak on the subject that there would be no jealousy on the part of members of existing vestries against the addition to their own numbers of the representatives of the same district in the central body, and in at least one vestry a formal resolution has been passed inviting their presence. We believe the same friendly reception would be generally experienced, and the re-organisation of the Old City affords an opportunity of introducing an element which would bring the Corporation of the whole City into touch with the Councils of its component parts.

(ii.) *Areas of Local Administration.*

Areas of local administration.

116. The suggestion we have thus supported is intimately connected with the question of the re-arrangement of the areas of local administration, which we have already said we would discuss in dealing with the reconstitution of the Old City.† In order to adopt universally the proposal that the members of the Corporation representing any given area should be ex-officio members of the local governing body, it would be necessary that the areas for local administration should either coincide with the areas for electing members of the Corporation, or should actually contain two or more of them. This condition would prevail in the City and in the following parishes, where the proposal might, therefore, be at once adopted‡:—

St. Marylebone.
St. Pancras.
Lambeth.
St. George's, Hanover Square.
Islington, St. Mary.
Shoreditch, St. Leonard.
Kensington, St. Mary Abbott's.
Fulham.
Hammersmith.
Mile End Old Town.
Paddington.
Bethnal Green, St. Matthew.
Newington, St. Mary (Surrey).
Clerkenwell, St. James and St. John.
Chelsea.
Hampstead, St. John.
Westminster, St. Margaret and St. John.
Poplar.
Whitechapel.

117. It will be seen how large a part of the metropolitan area is thus ready for the immediate application of the proposal, and a very slight alteration of present arrangements would extend its application so as to nearly cover the Metropolis. It is beyond our power to make proposals leading up to this extension, and if the principle be adopted it would be necessary to provide other machinery to secure its complete application. We may, however, point out that the vestries of all the areas we have just specified might be at once styled councils and invested with the privilege of choosing a mayor, so that within each of these areas the mayor and council would be its governing body.

118. Considerations of local feeling and of historic development would have to be weighed in conjunction with those of administrative convenience in extending this organization to the rest of the Metropolis, but we are much impressed with a sense of the expediency of attaining a result highly conducive to the simplification and efficiency of the government of London.

4. Relations of the Local Authority of the Old City and of the other Local Authorities to the New Corporation.

4. Relations of the central to the local authorities.

119. There remains the final question of the relation which the new Council of the Old City and the Councils, if we may so describe them, of the other districts of London should bear to the Corporation. The feasibility of a personal connexion between them we have already discussed in dealing with the resettlement of the Old City; and we have only to indicate somewhat further than we have already done the administrative control to which the local authorities should be subject on the part of the central. The control at present exercised by the County Council over the vestries and district boards is of three kinds—

Powers of control to be exercised by central authority.

(1.) It frames byelaws under which they work, *e.g.*, for sanitary matters generally, for locomotive traffic on highways other than main roads, regulating the formation of new streets, drainage of buildings, &c.;

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* *See* H. J. Smith (Lambeth), 11,717–21; Whale (Lee), 12,362–7.
† *See* Costelloe, 13,945–90, where the question of areas is discussed at length, and Appendix XIX.
‡ *See* Map I. appended to the Report.

(2.) It has power to act in default, as in sanitary matters, and an appeal lies in some cases from the action of the local authority to the County Council, *e.g.*, as regards the construction of drains, &c.

(3.) Its consent is necessary in certain matters, *e.g.*, to the raising of loans, or closing streets for repairs.

Framing of byelaws.

120. (1.) Most of our witnesses, even those who urge most strongly the aggrandisement and independence of the local authorities, recognise the practical inconvenience of having the administration of an Act different in one locality from that in another, and are content that, to secure uniformity all over the Metropolis, the central authority should frame byelaws under which the local bodies should work.* In this we fully concur, and we think that, if this were done, some of the functions now administered directly by the central authority might safely be entrusted to the local authorities.

Powers of acting in default, of appeal, &c.

121. (2.) The power to act in default and of appeal, especially in sanitary matters, is one that must be preserved. We would wish to see the direct administration by the central authority of such matters as are within the scope of a district authority lessened, as far as possible, and its action limited to general supervision and control in cases where it is necessary. The mere fact that such supervision, control, and appeal exist, with the power of taking action in default, is often sufficient to secure effective performance of a duty, without actual exercise of that power.

Consent to loans, &c.

122. (3.) As regards consent to loans and other matters, we do not find that, as a rule, it has been arbitrarily exercised, or is likely to be in future, and we think that in this respect matters may well stay as they are, at all events for the present. Apart from the fact that the Council in most cases lends the money which the vestries seek to borrow, and thus gives them the benefit of its superior credit, it is well that, so far as possible, the currency of loans for similar objects should be alike, and the administration uniform, throughout the whole of London. The principles of limitation which we have suggested as applicable to borrowing by the central body should therefore be made applicable to local borrowing.

Rating and assessment.

123. The questions of rating and assessment remain, and are of the highest importance. There is much reason for thinking that they should not be left as entirely as they are at present to the local authorities. Assessments vary a good deal between the different localities, as well as within them, and the movement in the direction of uniformity of rating strongly points to uniformity of assessment as its basis, which the present arrangements for assessment cannot be said to secure. Local knowledge and experience are, no doubt, necessary for the purpose, but they should be associated with some representation of the central authority, so as to secure uniformity throughout the Metropolitan area.

124. We cannot conclude without expressing our sense of indebtedness to our Secretary, Mr. Gleadowe. He has brought the quickest and readiest intelligence to the discharge of his task, and he has added to this natural endowment an assiduity and industry commanding our highest admiration. We are satisfied that our labours would have been more prolonged and more difficult had we not enjoyed the advantage of his assistance.

All which we humbly submit to Your Majesty's gracious consideration.

LEONARD H. COURTNEY.
FARRER.
ROBERT D. HOLT.
EDWARD ORFORD SMITH.

G. E. Y. Gleadowe,
Secretary.

August 7th, 1894.

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* *See* Dickinson, 13,616; Robinson, 11,831–5; H. J. Smith, 11,747–56, 11,764–79; J. E. Smith, 11,252–86; Westacott, 13,207–8.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

COMMISSIONERS

APPOINTED TO CONSIDER

THE PROPER CONDITIONS UNDER WHICH THE AMALGAMATION OF THE CITY AND COUNTY OF LONDON CAN BE EFFECTED,

AND TO MAKE

SPECIFIC AND PRACTICAL PROPOSALS
FOR THAT PURPOSE

WITH

DIGEST AND INDEX.

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3	Mr. CHARLES HARRISON, Vice-Chairman of the London County Council. Mr. WILLOUGHBY HYETT DICKINSON, Deputy Chairman of the London County Council.
4	Mr. GEORGE LAWRENCE GOMME, Statistical Officer of the London County Council.
5	Mr. HENRY HEWITT BRIDGMAN, Chairman of the Commissioners of Sewers for the City of London. Mr. HENRY BLAKE, Principal Clerk of the Commissioners of Sewers for the City of London. Dr. WILLIAM SEDGWICK SAUNDERS, Medical Officer of Health of the Commissioners of Sewers for the City of London. Mr. EDGAR ALEXANDER BAYLIS, Solicitor of the Commissioners of Sewers for the City of London. Mr. DAVID JAMES ROSS, Assistant Engineer of the Commissioners of Sewers for the City of London.
6, 7, 8	Sir DAVID EVANS, K.C.M.G., Alderman and late Lord Mayor of the City of London. Sir JOHN MONCKTON, Town Clerk of the City of London.
9	SIR JOHN MONCKTON.
10	Mr. W. H. DICKINSON.
11	Mr. G. L. GOMME.
12	Mr. W. H. DICKINSON. Mr. JOHN KEMP, Secretary to the Special Committee of the London County Council
13	Mr. JOHN KEMP.
14	Mr. JOHN KEMP. Mr. G. L. GOMME. Mr. DICKINSON.
15	Sir JOHN MONCKTON.
16	Mr. WILLIAM PAYNE, late Principal Clerk to the Chamberlain of the City of London. Colonel T. DAVIES SEWELL, Clerk of the Chamberlain's Court of the City of London. Mr. HENRY FREDERICK YOULE, Clerk of the Special Sessions of the City of London. Mr. ERNEST WILLIAM WHITE, M.B., M.R.C.P., Medical Superintendent of the City of London Lunatic Asylum. Mr. ARTHUR TEMPEST POLLARD, M.A., Head Master of the City of London School. Mr. GEORGE ROBERT RENWICK, Secretary of the City of London School. Mr. ROBERT EDWARD MONTAGUE, M.A., Master of the Freemen's Orphan School.
17	Sir CHARLES HALL, K.C.M.G., Q.C., M.P., Recorder of London. Sir FORREST FULTON, Q.C., Common Serjeant of the City of London. Mr. CECIL GEORGE DOUGLAS, Clerk to the Lord Mayor of London. Mr. HERBERT GEORGE SAVILL, Clerk at the Guildhall Justice Room. Mr. FRANK STATHER JACKSON, Registrar of the Mayor's Court of the City of London. Mr. JAMES ANSTEY WILD, Registrar of the City of London Court. Mr. JOHN ALEXANDER BRAND, Comptroller of the City of London. Mr. ANDREW MURRAY, Surveyor of the City of London. Mr. THOMAS RODERICK, Secondary of the City of London. Mr. SAMUEL FREDERICK LANGHAM, Coroner of London and Southwark. Mr. JAMES SALMON, F.S.S., a Common Councilman of the City of London. Mr. FREDERICK SINGLETON KNOTT, late Principal Clerk in the Town Clerk's Office.
18, 19	Mr. ANDREW JOHNSTON, Chairman of the Essex County Council. Mr. CHARLES HARRISON, Vice-Chairman of the London County Council. Mr. W. H. DICKINSON.
20	Sir SAMUEL GEORGE JOHNSON, Town Clerk and Clerk of the Peace, Nottingham.
21	Mr. HARCOURT EVERARD CLARE, Deputy Town Clerk of Liverpool.

Day.	
22	Mr. William Chambers Leete, Clerk of the Vestry of Kensington. Mr. T. Whittinbury Wheeler, Q.C., a Member of the Vestry of Kensington. Mr. G. L. Gomme. Mr. Charles William Tagg, Clerk to the Vestry of Camberwell.
23	Colonel Sir Edward Bradford, K.C.B., K.C.S.I., Commissioner of the Metropolitan Police. Mr. William Weaver, Surveyor to the Vestry of Kennington. Mr. Lewis Angell, Borough Engineer of West Ham. Mr. G. R. Welby Wheeler, Surveyor to the Vestry of St. Margaret and St. John, Westminster.
24	Mr. William Francis Dewey, Clerk to the Vestry of Islington. Mr. Henry John Smith, Clerk and Solicitor to the Vestry of Lambeth. Mr. Hugh Mansfield Robinson, LL.D., Clerk and Solicitor to the Vestry of Shoreditch. Mr. Thomas Holland, Clerk to the Vestry of Chelsea.
25	Mr. Andrew Goring Pritchard, Secretary of the Municipal Corporations Association. Mr. John Edward Smith, Clerk to the United Vestry of St. Margaret and St. John, Westminster. Mr. George Whale, Clerk to the Lee District Board of Works. Mr. Henry Andrews, Clerk to the Strand District Board of Works.
26	Mr. Edmund Boulnois, M.P., Mr. Benjamin Lewis Cohen, M.P., Mr. Robert Crawfurd Antrobus, Mr. Henry Percy Harris, Mr. Thomas Bentley Westacott, } Members of the London County Council.
27	Mr. T. Whittinbury Wheeler, Q.C. Mr. William Chambers Leete. Mr. John Bonthron, Chairman of the Vestry of St. James, Westminster. Mr. William Winnett, a Member of the Vestry of St. James, Westminster. Mr. Thomas Hensman Munsey, Clerk of the Vestry of St. James, Westminster. Mr. Edward Colston Keevil, a Freeman of the City of London and a Member of the Vestry of St. James, Westminster.
27	Mr. W. H. Dickinson, Deputy Chairman of the London County Council. Mr. John Kemp.
28	Dr. George Blundell Longstaff, M.A., M.D., F.R.C.P., D.P.H., Chairman of the Building Acts Committee of the London County Council. Mr. William Joseph Fraser, a Member of the Vestry of St. Anne's, Soho. Mr. Benjamin Francis Conn Costelloe, a Member and late Chairman of the Local Government Committee of the London County Council.
29	Dr. G. B. Longstaff.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

AMALGAMATION OF THE CITY AND COUNTY OF LONDON.

FIRST DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 9th June 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

SIR THOMAS HENRY FARRER, Bart.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, *Secretary*.

Mr. J. F. ROTTON, Q.C., Legal Adviser to the Local Government Board, called in and examined.

Mr. J. F. Rotton, Q.C.

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1. (*Chairman.*) Perhaps you will begin by telling us what is your position at the Local Government Board?—I am the legal adviser there.

2. You are a member of the Bar?—I am a member of the Bar.

3. And one of Her Majesty's Counsel?—I am.

4. And you are ready to give us information as to the actual government of the metropolis, both the county and the city?—As far as I can.

5. Commencing with the County Council, how is that elected?—That is elected in the same way as other county councils are; but by electors of electoral divisions coincident with the parliamentary boroughs in the metropolis.

6. There are twice as many members for each division as there are parliamentary representatives? Yes.

7. Instead of there being one member for each division, there are two members for each division?—Yes; in the City of course it is the same.

8. (*Mr. Crawford.*) In the City there are four?—In the City there are four, of course.

9. (*Chairman.*) Double as many?—Double as many.

10. And the other distinction is that the number of aldermen is comparatively less?—Only one half the proportion—one-sixth instead of one-third.

11. And the area covered by this county council?—Is the metropolis as defined by the Metropolis Management Act, that is to say, the areas for the vestries and district boards in Schedules A. and B., the places in Schedule C. being the Temple and Lincoln's Inn, and a few other places of that sort, which are excluded from the ordinary parochial government and the City.

12. The City is itself a part of the area?—It is a part of the administrative county of London.

13. It is perhaps too early to ask you whether the authority of the Council is the same within that area as without it?—The authority of the Council is not the same in the City in some respects as it is within the part outside the City. When one speaks of the authority of the Council one speaks of the authority of it, not merely under the Local Government Act, not merely as the County Council, but also as the successor of the Metropolitan Board of Works.

14. Well, as a county council independently of the peculiar authorities inherited from the Metropolitan Board of Works, would it have the same jurisdiction within and without the City?—I think not absolutely the same.

15. Turning to the City, the Lord Mayor is the executive chief?—The Lord Mayor is the executive chief.

16. How is he chosen?—He is chosen, I believe, in this way: two aldermen are nominated by a common hall; that is to say, by the freemen being liverymen, to the Court of Common Council, I think.

17. (*Mr. Crawford.*) No, not the Court of Common Council; to the Court of the Lord Mayor and Aldermen?—To the Court of the Lord Mayor and Aldermen, and they select one.

18. (*Chairman.*) You had better tell us, I think, what the livery is?—The livery, I believe, is certain members of the companies who are by the

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company put on the livery of the company; not all the members of the company, but certain members of each company are put on the livery of the company.

19. And the liveryman is necessarily a member of a city company, although all members of the company are not necessarily liverymen?—That is so, I believe.

20. Then some of these liverymen are freemen and some are not; that, I believe, is the case also; how does that come about?—I presume that the companies have power of making members of companies, persons who are not freemen.

21. (*Mr. Crawford.*) It might be as well if Mr. Rotton drew the distinction between freemen of the City and freemen of the companies?—Yes, I mean by freemen, freemen of the City. Of course, there are freemen of the City who are not members of a company, and so also there may be members of the livery who are not freemen of the City.

22. (*Chairman.*) We may hope for full information of that elsewhere; but in order to be an elector of the Lord Mayor, or rather of the two aldermen, one of whom would be made a Lord Mayor, you must be both a liveryman and a freeman of the City?—That is so.

23. As a matter of fact, are the two so chosen, do you know, always chosen in seniority?—I believe that, as a matter of fact, the two senior aldermen who have held the office of sheriff are usually nominated.

24. That is a condition also of eligibility, that the alderman should have served as a sheriff?—I am not aware that it is a condition of legal eligibility. I do not think it is; but, in fact, those persons are usually nominated.

25. Is it necessary as a matter of legal eligibility that the Lord Mayor should be chosen from the aldermen at all?—Yes, I think so.

26. They must be two aldermen?—Yes, I think so.

27. And the Court of Aldermen selects one of the two?—Yes.

28. Has the Lord Mayor any personal jurisdiction?—He acts as magistrate in certain cases; he has the power, I believe, of two justices or one stipendiary magistrate; I am not aware that he has any other. He presides, of course, in some courts, but I am not aware that he has jurisdiction in the legal sense.

29. Now the aldermen, how are they elected?—The aldermen are elected in the wards by persons who are rated at 10*l.*, or who are occupiers on the register of voters for Members of Parliament, or who would be entitled to be on the register of voters as occupiers if resident, those are the terms of the 30 Vict. c. 1., a private Act. I have not considered whether those terms are in any way affected, whether that clause is in any way altered by the Acts relating to Parliamentary representation. I am not quite sure about that.

30. Can any person be rated at 10*l.* a year not coming under one or the other of the subsequent categories?—I do not know.

31. Apparently they are merged, I think?—Quite so.

32. These aldermen are chosen for life?—Chosen for life, practically; I believe the phrase is, "Until removal for sufficient reason," or something of that sort. But practically it is for life.

33. Occasionally an alderman resigns his gown?—An alderman resigns his gown occasionally.

34. But you do not know any case in which he was deprived of his gown?—I am not aware of any, there may be such.

35. You speak of the wards, how are those framed?—The wards are ancient city divisions, which have been to a certain extent altered; but, of course, they are very ancient divisions.

36. Comprising a number of parishes?—Comprising a number of parishes in many cases.

37. Does a ward ever divide a parish?—That I cannot say.*

38. Is there any government of the ward?—Yes, each ward has a ward-mote, which the alderman holds, of which the alderman is chairman, and which has certain functions, in respect of rating, for instance.

39. Wards are rated separately?—Wards are rated separately for certain purposes.

40. As distinct from parishes?—As distinct from parishes.

41. And as distinct from the City?—And as distinct from the City; that is to say, they make the rate in some cases.

42. What business has the ward to undertake?—I cannot say what other business; I do not know.

43. That rate must be in respect of some business confided to the ward?—No, I should rather say in respect of what we should call the precept from the Commissioners of Sewers, or from the Court of Aldermen, or the Common Council.

44. That would be to discharge some expense incurred by the Common Council or by the Commissioners of Sewers?—Yes.

45. So that this expense would be incurred, I suppose, in the ward?—I do not know; I am not aware whether the ward expenses in respect of such expenses as are incurred by the ward are contributed by the ward, I should think not. Under the Commissioners of Sewers in general the expenses would be treated as a whole—a certain rate would be called for from each ward.

46. Not from each parish?—Not from each parish.

47. Now, the common councilmen represent the same wards as the aldermen?—That is so.

48. And they are elected once a year?—I forget.

49. (*Mr. Crawford.*) On St. Thomas' Day?—Yes.

50. (*Chairman.*) On St. Thomas' Day, once a year, the whole body are re-elected?—Yes.

51. And each elector has as many votes as there are places to be filled?—That, I believe, is the case.

52. The Court of Aldermen has many powers of its own?—That is so.

53. Do you know anything specially of their powers?—I cannot say that I do.

54. And the number of common councilmen elected by each ward—how is that fixed?—I believe that it has been fixed by order of Common Council. It has been from time to time altered as the wards have altered in proportionate population. I have not any recent statement of the number elected.

55. Do you understand that it is within the authority of the Common Council, without any express power conferred on it, to alter the number of representatives of the different wards?—That has been frequently exercised; that power has been exercised as one of the powers of regulation inherent in the governing body of the Corporation.

56. Of course, there is no such power in other municipal corporations?—No.

57. Is it subject to a fixed total?—I do not know, I should think not.

58. The ordinary provisions relative to purity of election apply to these elections to the Common Council?—Yes, they apply now both by the Act of 1884 and by the 50 & 51 Vict. c. xiii., which is a private Act.

59. (*Mr. Crawford.*) The City of London Ballot Act?—Yes.

60. (*Chairman.*) Then, outside the City originally, I suppose, there were nothing but country parishes?—You had nothing but country parishes. Of course you are aware that before the Metropolitan Management Acts there were Commissioners of Metropolitan Sewers, who had certain powers.*

61. Distinct from the Commissioners of Sewers in the City of London?—Yes; bodies under local Acts, I presume; not, I think, under commissions. But for ordinary purposes there were nothing but parochial authorities.

* It does occasionally. *See* Blake, 1959.

* *But see also* Dickinson, 1081.

62. Then these parochial authorities there were modified by the introduction of vestries?—By the Metropolitan Management Act of 1855.

63. But before that?—Before that I daresay there had been vestries under Sturges Bourne's Act; but that has all passed away now.

64. The existing vestries in these parishes, how are they elected?—They are elected by the parishioners rated for the relief of the poor; one-third of the number of vestrymen retiring each year.

65. Like the common councilmen of a municipal borough?—Yes.

66. And each parishioner has one vote for each vacancy?—And each parishioner has one vote for each vacancy.

67. And how many constitute a vestry?—The number varies according to the number of rated householders in each parish, being about 24 for the first 1,000, and 12 for each additional 1,000.

68. A certain number of dozens always?—Yes, always.

69. To what do they run—the maximum, do you know?—I could not say.*

70. These vestries, in some cases, have exercised functions of themselves, and in other cases they elect a district board?—That is so; in the larger parishes which were put into Schedule A. of the Metropolis Management Act, there the vestries are the authorities for the purposes of that Act; in the smaller parishes the parishes are grouped and are placed under district boards, which are elected by the vestries of the group of parishes.†

71. (*Sir Thomas Farrer.*) A secondary election?—A secondary election.

72. (*Chairman.*) Each vestry elects its contributory share?—That is so.

73. Of the district board?—The schedules of the Local Management Act have been somewhat altered by subsequent Acts, some of the parishes which were grouped having been made independent.

74. But the same principle prevails, that in the bigger parishes the vestry is the active body?—Yes.

75. And in the smaller parishes the vestries elect representative members upon a district board for the conjoined parishes?—That is so.†

76. (*Mr. Smith.*) Before you leave the question of vestries, may I ask is there any property qualification?—For vestrymen?

77. Yes. I do not see it on the note. I rather fancied there was; it is an unusual thing now-a-days?—This appears to be the regulation, in section 6 of the Metropolis Management Act, 1855: "The "vestry elected under this Act in any parish shall "consist of persons rated or assessed to the relief of "the poor upon a rental of not less than 40*l.* per "annum; and no person shall be capable of acting "or being elected as one of such vestry for any "parish unless he is the occupier of a house, lands, "tenements, or hereditaments in such parish, and be "rated or assessed as aforesaid upon such rental as "aforesaid within such parish: Provided always "that in any parish in which the number of poor "rate assessments at 40*l.* or upwards does not exceed "one-sixth of the whole number of such assessments, "it shall not be necessary in order to qualify a person "to be a vestryman that the amount of rental upon "which he is rated or assessed as aforesaid exceed "25*l.*: Provided also that the joint occupation of "any such premises as aforesaid, and a joint rating in "respect thereof, shall be sufficient to qualify each "joint occupier in case the amount of rental on "which all such occupiers are jointly rated will, "when divided by the number of occupiers, give for "each such occupier a sum not less than the amount "herein-before required."

78. (*Mr. Crawford.*) We might have it on the notes, the difference between the qualification of county councillors and that of vestrymen. Could you tell us what is the qualification for county councillors?—Yes, in section 2, sub-section 2, of the Local Government Act.

79. (*Chairman.*) It is done by reference?—It is done by reference with a slight alteration. "The "council of a county and the members thereof "shall be constituted and elected and conduct their "proceedings in like manner and be in the like "position in all respects as the council of a borough "divided into wards, subject nevertheless to the "provisions of this Act and in particular to the "following provisions, that is to say: As respects "the aldermen or councillors (*a*) clerks in holy "orders and other ministers of religion shall not be "disqualified for being elected and being aldermen "or councillors: (*b*) a person shall be qualified to be "an alderman or councillor who though not qualified "in manner provided by the Municipal Corporations "Act, 1882, as applied by this Act, is a peer owning "property in the county or is registered as a parliamentary voter in respect of the ownership of "property of whatsoever tenure situate in the "county."

80. (*Mr. Smith.*) It is a little wider than the ordinary municipal qualification?—Yes, it is a little wider.

81. (*Chairman.*) You have not told us anything of the Commissioners of Sewers in the City; do you know how they are appointed?—The Commissioners of Sewers are a body who are nominated under the seal of the Common Council from their own members.*

82. Necessarily?—I suppose necessarily; section 7 of the Sewers Act of 1848 provides that it shall be lawful for the Mayor, Aldermen, and Commons to nominate, and by deed under the Common Seal appoint, such persons as they shall think proper to be Commissioners for carrying the Act into execution.

83. (*Mr. Crawford.*) As a matter of fact, probably you know that they have always nominated from their own body?—Yes, I should think so.

84. (*Chairman.*) They have power to nominate not only who they like, but as many as they like?—As many as they like.

85. Do you know how many they do nominate?—I do not know the number that the Commission of Sewers consists of.†

86. Do you know how the selection is made?—I do not know; they are simply the persons nominated under seal and their nomination is good until a new commission is issued. It is very much like, in fact, a commission of sewers under the General Sewers Act, only appointed by the Common Council, instead of being appointed by the Crown.

87. The Crown is one and indivisible?—Yes.

88. It might easily make a selection?—Yes, there is no more provision than that section.

89. (*Mr. Smith.*) Can you tell us the total number of vestries and district boards in the metropolis?

(*Mr. Crawford.*) There are 25 vestries and 14 district boards?—That is since the alterations. Of course Fulham and Hammersmith have been divided; two of the districts, I think, have been divided, but I am not quite sure which.‡

90-1. (*Mr. Smith.*) Including the Commissioners of Sewers I believe it is 40?—Yes.

92. (*Chairman.*) Well, now, going on to the powers and duties you have first to tell us something about the Police; would you describe to us how the police is organised in the City?—The police in the City is under the authority of a Commissioner of City Police appointed by the Common Council with the approval of the Secretary of State.

93. Is there any qualification necessary?—I do not think there is any qualification necessary.

* The maximum is 120. *See* Dickinson, 1083–5.

† *But see also* Dickinson, 1087–99. Gomme, 1100–18.

* *See also* Blake, 1959.

† It consists of 92 Commissioners. *See* Blake, 1959.

‡ The present actual figures are 26 vestries, 13 district boards, and one local board (Woolwich), in addition to eight extra parochial places and the Commissioners of Sewers in the City. *See* Dickinson, 1123.

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94. And it is a permanent appointment?—It is a permanent appointment.

95. Can he be removed without the sanction of the Secretary of State?—I think not. I am not quite sure.

96. (*Mr. Crawford.*) Yes, he can be removed by the Court of Aldermen for misconduct.

97. (*Chairman.*) Not by the Common Council?

98. (*Mr. Crawford.*) Elected by the Common Council, but removeable by the Court of Aldermen for misconduct, or by the Secretary of State, as the representative of Her Majesty.

99. (*Chairman.*) And this Commissioner—what is his authority?—He, acting subject, I suppose, to the approbation of the Court of Aldermen, appoints the constables, and may with their approbation and that of the Secretary of State make regulations in regard to the force, and also in regard to street traffic on public occasions as well as other matters.

100. (*Sir Thomas Farrer.*) Is there anything in the nature of a watch committee?—I believe there is a committee that deals with such matters.

101. Does he act of his own judgment or discretion, or under the authority of that committee?—There is nothing in the Police Acts, I think, regarding such committee to be appointed as in the case of municipal boroughs, or placing him particularly under that committee.

102. (*Chairman.*) What is the date of the constitution of this force?—The police force in the City was under 2 & 3 Victoria, c. xciv.

103. Many years after the constitution of the metropolitan police?—Yes, many years after the first constitution of the metropolitan police.

104. The Court of Aldermen appear to be the supervising authority?—That is so.

105. Analogous somewhat to the watch committee?—Yes.

106. You probably cannot tell us the amount of the force?—I cannot.

107. The expense of the police administration, how is that met?—That is met, one-fourth by payment by the Corporation, and three-fourths by a police rate.

108. They get no subsidy from the State?—They get no subsidy from the State.

109. One-fourth contribution out of the Corporation revenues corresponds to what in other cases would be the grant?—Yes; it is not, of course, so large as the contribution in the case of the metropolitan police.

110. But of the ordinary local police, it is not so large as that either?—No; it is not so large as that either.

111. That one-fourth is charged upon the revenue of the Corporation?—That is charged upon the revenue of the Corporation.

112. Perhaps you had better go on to the police courts in the City? How are those organised?—Those are held by aldermen, who are justices for the City, and who act in these police courts in place of police magistrates, have the same powers as police magistrates in the rest of the metropolis.

113. There are how many courts?—There are two courts, one sitting at the Guildhall and another at the Mansion House.*

114. They are like petty sessional courts?—Yes; and also like police magistrates' courts. By the Act relating to the police courts of the metropolis, two aldermen have the power of the police magistrates.

115. Is that the same as two justices elsewhere?—The same as two justices elsewhere.

116. (*Mr. Crawford.*) Excuse my interrupting you. Are you quite correct there? Is it not just the other way round, that an alderman in the City has all the powers of a stipendiary?—Is it one alderman?

117. Allow me to call your attention to the Summary Jurisdiction Act of 1848, and also to the Summary Jurisdiction Act of 1879. Taking the first Act, section 34 of the Summary Jurisdiction Act of 1848: "And be it enacted, that it shall be lawful for "the Lord Mayor of the City of London, or for any "Alderman of the said City for the time being sitting "at the Mansion House or Guildhall Justice Rooms "in the said City, to do alone any act at either of the "said Justice Rooms, which by any law in force, or "by any law not containing an express enactment to "the contrary hereafter to be made, is or shall be "directed to be done by more than one justice." And there is a similar provision in the Act of 1879?—Then I should alter it by saying "one" instead of "two."

118. (*Chairman.*) Then, in fact, it would be strictly analogous to the jurisdiction of a police magistrate—a stipendiary magistrate?—Yes.

119. You do not know what was the constitution of the police courts before that time?—No, I do not know. In the City I presume that the aldermen, who, of course, have always been justices for the City, acted in the same way as justices did in the rest of London before stipendiary magistrates were appointed.

120. That would mean that for certain purposes they must have two of them?—Certainly, for some purposes they must have two of them.

121. Now, the police outside the City?—The police outside the City are under the Commissioner of Metropolitan Police, or the Commissioners of Metropolitan Police. There are three commissioners, but practically the principal commissioner is the person with whom most of the authority rests.

122. They are appointed by the Secretary of State?—They are appointed by the Secretary of State for an area extending much beyond the metropolis.

123. Much beyond the administrative county?—Much beyond the administrative county.

124. The administrative county at no point gets outside that area?—No.

125. It is fully within it?—The police district is a circle of 15 miles from Charing Cross.*

126. Has that been altered from time to time?—That has been extended from time to time.

127. As the metropolis has extended itself?—I believe it may still be altered by Order in Council.

128. It is possible to abstract from the surrounding counties a portion of their area, and bring it within the Metropolitan Police District?—Yes.

129. Do you know when the last extension was made?—It began with 10 Geo. IV. c. 44., and Westminster and parts of Middlesex, Surrey, and Kent were mentioned in the schedule. Then that Act provided that parishes in Middlesex, Surrey, Hertfordshire, Essex, and Kent, of which any part is within 12 miles of Charing Cross, might be added by Order in Council. Then 2 & 3 Vict. c. 47. provided that the district was to be any part of the Central Criminal Court district, except the City of London and its liberties and places included in the City Police Act, and any part of any parish or place which is not more than 15 miles from Charing Cross in a straight line may by Order in Council be added to the Metropolitan Police District; therefore that cannot be extended.

129*a*. (*Sir Thomas Farrer.*) Not beyond 15 miles? Not beyond 15.

130. And has it been extended up to the 15?—It has been extended up to the 15.

130*a*. Can you tell at all, either in point of area or in point of population, what is the district outside the administrative county as compared with the district inside the administrative county?—I am afraid I cannot tell you the population.† The rates paid in the County of London were 608,000*l*., and the total rates are 775,000*l*.

131. And how much within?—Within, 608,000*l*.

132. (*Chairman.*) Four-fifths within?—Yes, nearly.

133. Is this strictly a geometrical figure—15 miles—a circle?—I am not sure. The terms of the section are not, it seems to me, conclusive on the point; and

**See also* Kemp, 6111–4; Douglas, 7631–88; Savill, 7689–721.

** See also* answers to Qq. 129 and 134 *and* Dickinson, 1142.

† *See* Answer to Qq. 467 *seq.*

I do not know, in fact, which way it is read. The terms are these: "Any part of any parish or place "which is not more than 15 miles from Charing "Cross in a straight line."

134. (*Mr. Smith.*) Fifteen miles regulated by the parish boundary?—Yes.

135. (*Chairman.*) Probably?—It is not quite clear what it means.

136. And the Commissioners of Police make their regulations subject to the authority of the Secretary of State?—The Commissioners of Police make their regulations subject to the authority of the Secretary of State.

137. And the difference between the two systems of organisation is the introduction of the control of the Court of Aldermen?—That is so.

138. The different nominating power and the controlling power of the Court of Aldermen?—Yes.

139. In the metropolitan police area there is no controlling power at all apart from the Secretary of State?—Apart from the Secretary of State, none.

140. No local control?—No local control.

141. If you had such a thing as a watch committee on the County Council, analogous to the Court of Aldermen, the two systems might come nearly alike?—That would be so.

142. A joint watch committee of the City and the County Council might bring the two together?—Yes, if the same persons were appointed.

143. (*Mr. Crawford.*) I did not understand Mr. Rotton to say that the City police are under the control of the Court of Aldermen similarly to a watch committee of an ordinary borough; did I understand you to say that?—No, I do not think that they are, because I suppose, as a fact, that the Commissioner of the City Police has, as the Commissioner of the Metropolitan Police has, or exercises, much more discretion—acts very much more by himself than the person in command of the police of a borough would do.

144. (*Chairman.*) But if a complaint arose in the City as to the misconduct of the police it is carried first to the Commissioner?—Certainly.

145. If the decision of the Commissioner is not satisfactory to the complainant, can he go beyond the Commissioner to the Court of Aldermen?—I am not aware that there is any such provision. If I remember right, all that the City Police Act says is that he is to act with the approbation, or something of that sort, of the Court of Aldermen. I think that is so, but I have not the City Police Act with me.

146. Outside the City, in the metropolitan area, the complaint could of course be carried from the Commissioner to the Secretary of State?—Certainly.

147. But within the City area you are not aware that it could be carried beyond the Commissioner?—Well, that is a matter rather, I think, of practice than of law, and I cannot answer the question.

148. (*Sir Thomas Farrer.*) Supposing that such a question arose within the City as arose in respect of Trafalgar Square, would that be carried to any representative body within the City, or would it go to the Commissioner and from him to the Secretary of State?—I think it would not go from the Commissioner to the Secretary of State. If it went to anybody it would go, in the first case, to the Court of Aldermen. The Secretary of State is mentioned, I think, in the City Police Act only for two purposes, one, as approving the appointment of the Commissioner of Police and approving his dismissal if he had to be dismissed, and in the other case, approving regulations made by him for the government of the force.

149. What I wanted to get at is this: is there a representative body—representative elected body—in the City which is practically responsible for order and good government in the City?—Well, I think I can scarcely answer that question.

150. (*Mr. Crawford.*) Under the City Police Act there is power in the Court of Common Council to appoint what is called the police committee, but that is simply in connexion with the general equipment of the force and financial matters. But with regard to the conduct of the men the Commissioner is solely responsible. He has ample power of dismissal without assigning even a cause, subject indeed to an appeal to the Court of Common Council, should such dismissal affect a pension of any police constable. Then there is an appeal in this way, that assuming a complaint made against the City police which would in any way involve the commissioner or any of those under him, that complaint could go to the Court of Lord Mayor and Aldermen, because with that body lies the power of dismissal, and also a similar compalint could be made to the Home Secretary, because with him, as the representative of Her Majesty, equally lies the power of dismissal of the Commissioner.

151–2. (*Chairman.*) The Home Secretary has not the power of dismissal apart from the concurrence of the Court of Aldermen?

(*Mr. Crawford.*) Oh, yes, he has, on behalf of the Queen?—If I might say so, I should think probably the position of the Chief Commissioner of Police, both in the metropolis and the City, is more analogous to that of a chief constable of a county; he has a freer hand necessarily than the chief constable of a borough.

153. (*Mr. Smith.*) But his wings have been a little clipped since the passing of the Local Government Act of 1888?—Yes, that is so.

154. (*Chairman.*) Now, as to the expense of the police in the metropolitan area?—The expense of the police in the metropolitan area is provided for from two sources, from the payment which is in lieu of the Treasury subvention and from rates. According to the Police Acts a sum not exceeding 9*d.* in the £ on the rateable value of property in the metropolitan police district can be expended. The portion of that sum which is not provided by the Treasury subvention can be raised by rates.

155. The whole expenditure must not exceed 9*d.* in the £?—The whole expenditure must not exceed 9*d.* in the £.

156. And the Chief Commissioner and the Secretary of State must regulate their action accordingly?—Accordingly.

157. (*Sir Thomas Farrer.*) Has not that been a little altered by the recent Act?—I think not.

158. Has it not been altered to this extent, that if you charge for pensions——?—I was not speaking of pensions; I do not think that alters it.

159. I think you will find it, but I should like you to look at it. I speak only from memory, but my recollection is that although very little notice was taken of it at the time the last Act practically gives the Secretary of State power to increase that 9*d.* to any amount that may be necessary to pay the pensions? Yes, that is possible. I was not remembering the police superannuation at the time.*

160. (*Chairman.*) Apart from pensions, at all events there is this fixed limit?—Apart from pensions this fixed limit remains.

161. And that is the sole controlling power upon the expenditure?—Yes.

162. The sum being expended, how is it practically raised?—The payment in lieu of the Treasury subvention is now made by the Local Government Board to the Receiver of Metropolitan Police out of the Local Taxation Account, that is to say, a sum bearing such proportion to the sum raised by rates in each year as the Secretary of State certifies to be the proportion which would have been contributed out of the Exchequer under the arrangement in force in the financial year next before the passing of the Local Government Act.

163. What was that?—That was either 4*d.* or 4½*d.*; I rather think it was 4½*d.*; either 4*d.* or 4½*d.*

164. Four-ninths?—Yes, perhaps it was.

* *See also* Answer to *Q* 474.

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165. That proportion; it was at one time one-fourth?—Yes, it was.

166. It was raised to nearly one-half?—Yes, it was raised.

167. And that proportion is still maintained?—That proportion is still maintained.

168. (*Sir Thomas Farrer.*) That is not paid into the county fund at all, but it is paid direct to the receiver of the metropolitan police?—It is paid direct; it is one of the payments which the Board makes direct, instead of its passing through the funds of the county.

169. (*Chairman.*) And how is the sum raised which is raised by rates?—The sum which is raised by rates is paid out of the poor rate on the precept of the Receiver of Metropolitan Police. He issues his precept to each parish, and that sum is paid out of the poor rate.

170. And now respecting the Police Courts in the metropolitan area?—They are provided for by the Commissioners of Works.

171. Do they cover the same area as the police—15 miles?—The police courts, no; there are no stipendiaries for a large part of the police area. There are certain districts which were determined, I believe, by Order in Council under the Act for regulating police courts in London, and the courts for those districts are provided by the Commissioners of Works.

172. That is, the buildings are?—The buildings are maintained.

173. And the number of police magistrates, is there any limit upon that?—They may be, I believe, increased from time to time by Order in Council.

174. They can be re-arranged, but they cannot be indefinitely increased?—Yes, there is a certain limit. The Act with regard to the police courts in the metropolis was the 2 & 3 Vict. c. 71. In section 2 of that Act "Her Majesty, with advice of Privy "Council, may alter number of police courts and of "magistrates appointed to any of said courts, and "order changes of the places of holding same within "the metropolitan police district: Provided always "that there shall not at any time be more than "twenty-seven such magistrates."

175. Well, the salaries of the police magistrates are charged on the Consolidated Fund?—On the Consolidated Fund.

176. The expenses of the officers of the courts, and the buildings of the court?—I am not quite sure of the expenses of the officers; I do not know how they are paid.

177. Out of votes of Parliament?—I do not remember; votes of Parliament, are they? The courts themselves are provided and maintained by the Commissioners of Her Majesty's Works.

178. Out of votes of Parliament?—Out of votes of Parliament.

179. (*Mr. Crawford.*) You are aware that the City had its own police prior to the City Police Act of 1839?—Oh, yes, a watch, in fact, was it not.

180. There were two sets, what were called the day police and the night watch?—Yes.

181. (*Mr. Holt.*) Are the stipendiary magistrates and the officers of the police courts paid out of the Government grant; from the Government grant, or out of the police rate?—The police magistrates are paid out of the Consolidated Fund, and their salaries are charged on the Consolidated Fund, like those of judges. The Chairman says that the officers of the court are paid out of votes by Parliament, and not out of the police fund, which is under the Receiver of Metropolitan Police.

182. (*Chairman.*) Now, with respect to the Sanitary Administration of the area, what is the organisation in the City?—The Commissioners of Sewers are the sanitary authority. They are a sanitary authority under the Public Health Act (London), 1891, and they have very large powers under the City of London Sewers Acts of 1848 and 1851.

183. They apparently would have more executive work to do than the Common Council?—I should suppose very much more; they are the great executive body of the City for street control and sanitary purposes.

184. You are not in a position to tell us how the ambition to get on that Board is satisfied?—No.

185. And the expenses of that body?—The expenses of that body are paid partly out of the sewers rate, and partly out of the consolidated rate. Those are rates levied under the Act of 1848.

186. And this body, though created by the Common Council, is not in any way amenable to it directly?—No, I think not.*

187. There is no appeal from it?—There is no appeal to the Common Council. There may be an appeal in certain cases to quarter sessions, which would be practically to aldermen.

188. What quarter sessions?—(*Mr. Crawford.*) The quarter sessions in the City of London, section 253 of the Act of 1848: "If any person shall feel aggrieved "by any adjudication or determination of any justice "with respect to any penalty or forfeiture under the "provisions of this Act, such party may appeal to "the general or quarter sessions, but no such "appeal shall be entertained unless it be made within "four months next after the making such deter-"mination or adjudication, nor unless ten days "notice in writing of such appeal, stating the nature "and grounds thereof, be given to the party against "whom the appeal shall be brought, nor unless the "appellant forthwith after such notice enter into "recognizances, with two sureties, before a justice, "conditions duly to prosecute such appeal, and to "abide the order of the court thereon"—I thought there was some other provision.

189. (*Mr. Crawford.*) With regard to auditors. In section 47 the auditors are allowed to appeal to the sessions?—Yes, that is it; practically they are the authority.

190. (*Chairman.*) They have general sanitary powers; have they not also powers about closing ways and roads?—Very large powers with regard to roads and streets.

191. And stopping any thoroughfares?—And stopping thoroughfares.

192. Diverting ways?—I really cannot say; but I should think they have. The powers given in these Sewers Acts are very considerable. I have not got a note of the sections in regard to highways.

193. Is there an appeal in some cases to your own office?—There is an appeal to the Local Government Board in some cases under the Public Health Act (London), 1891, but no appeal to the Local Government Board under the Sewers Acts.

194. (*Sir Thomas Farrer.*) Did the Local Government Board exist then?—No, but of course there might have been an appeal, which might have been transferred to the Board.

195. (*Chairman.*) Under the Act of 1891 you have authority to interfere upon complaint made?—Yes, in certain cases. "If it is proved to the Local Govern-"ment Board that the Commissioners have made "default in doing their duty in relation to nuisances "under the Act of 1891, the Board may order any "officer of police of the City to take proceedings," and if complaint is made to the Local Government Board that the Commissioners have made default in executing or enforcing any provisions of the Act of 1891, the Board, if satisfied of the default, may limit a time for the performance of the duty, and if it be not performed within the time limited, the order may be enforced by mandamus, or the Board may appoint some person to perform the duty.

196. That is a recent Act; has any case arisen under it?—No case has arisen under it.

197. What is the general scope of that Act?—The general scope of that Act was to bring into one the provisions of the Nuisances Removal Acts, and other sanitary Acts which had been repealed as to the rest of the country by the Act of 1875, and at the same

* But *see also* Blake, 1959

time make certain further provisions in regard to sanitary matters within the metropolis which those Acts did not contain. It may be taken to be an Act analogous to the Public Health Act relating to the metropolis, but not containing other than sanitary provisions.

198. (*Mr. Smith.*) But with such improvements as time has shown to be expedient?—With such improvements as time has shown to be expedient.

199. (*Chairman.*) Under the same Act the Commissioners have certain authority over the port?—Under the same Act the Corporation acting by the Commissioners of Sewers are declared to be the port sanitary authority for the Customs port of London. That follows the Act of 1875.

200. (*Mr. Crawford.*) Not the Commissioners of Sewers?—The Lord Mayor and aldermen.

201. No, the Court of Common Council; the Corporation. If you look at the Public Health Act of 1891, which followed the Public Health Act of 1875, you will see it is the Corporation that is appointed the port sanitary authority?—Yes, you are right.

202. They carry out the duties of the Act under what is called the port sanitary committee of the Corporation?—You are right, and I was wrong.

203. Nothing to do with the Commissioners of Sewers?—You are right. It is "The mayor, commonalty, and citizens of the City shall continue "to be the sanitary authority of the port of "London."

204. (*Chairman.*) And they work through a committee?—They work through a committee.

205. I suppose there would be some similarity between the functions of that committee and the functions of the Commissioners of Sewers?—No doubt; but the powers of the mayor, commonalty, and citizens under that section are not determined by the Act, but are in section 112 to be assigned by the order of the Local Government Board:—"The "Local Government Board may by order assign to "the port sanitary authority of the port of London "any powers, rights, duties, capacities, liabilities, or "obligations of a sanitary authority under this "Act, or of a sanitary authority under the "Public Health Act, 1875, and any Act extending "or amending the same respectively, with such "modifications and additions (if any) as may appear "to the Board to be required."

206. (*Sir Thomas Farrer.*) And they have assigned them?—They have assigned them by order.

207. (*Chairman.*) That committee is active in discharging those duties?—That committee is a very active one.

208. All their expenses are paid out of the revenues of the City?—Paid out of the revenues of the City.

209. (*Sir Thomas Farrer.*) And not out of the consolidated rate at all; not out of the sewers rate?—Not out of any rate that is raised by the Commissioners of Sewers; out of the revenues of the City.

210. (*Chairman.*) Part of those revenues are possibly connected with the port?

211. (*Mr. Crawford.*) No, none whatever?—I should think not. The rights which the City have with regard to the port were for the most part transferred by the Thames Conservancy Acts.

212. You will find the expenses provided for by the Act, "They shall out of their own funds," I think the words are?—Shall pay out of their corporate funds all their expenses as such port sanitary authority.

213. (*Chairman.*) Outside the City the sanitary authorities are?—The authority under the Metropolis Management Act, that is to say, the vestries and district boards, and the Local Board of Woolwich.

214. Why do you distinguish that local board from the vestries?—Because that board is appointed as a local board is appointed; is elected as a local board. Although it is within the Metropolis by the Metropolis Management Act, the Local Board of Woolwich was continued a local board although Woolwich was included within the Metropolis.

215. Was that in 1855?—In 1855.

216. It was a pre-existing board?—It was a pre-existing board.

217. Elected by the ratepayers of Woolwich?—Yes, under the Public Health Act of 1848.

218. Whereas the other district boards are elected by the vestries?—Are elected by the vestries. The method of election of the Local Board of Woolwich was provided for specially in the Act of 1891 by extending to that district certain sections of the Act of 1875, I believe.

219. Now, these vestries and district boards being the primary authorities for ordinary sanitary administration, was any power given to the Metropolitan Board of Works in respect to the same matters over them, or in relation to them?—By the Act of 1891 you mean.

220. I said the Metropolitan Board of Works?—In matters not* relating to sewers there was, if I remember rightly, a certain power of appeal in some cases to the Metropolitan Board of Works.

221. That is historical, perhaps?—Yes. It is not merely historical, because, of course, any power which the Metropolitan Board of Works had would now be vested in the County Council.

222. I was going to ask, without going into how it arose, what powers have the County Council now in sanitary matters?—Under the Act of 1891 they have the power of acting in place of a sanitary authority if the sanitary authority make default in their duty with respect to the removal of any nuisance, the institution of any proceedings, or the enforcement of any byelaws, and they have the power also of complaining to the Local Government Board if the district authority, the local authority, have made default in executing or enforcing any provision of the Act of 1891, or any byelaws thereunder which it is the duty of the authority to execute or enforce, and if satisfied of the default, and that the complaint cannot be remedied under the other provisions of the Act, the Local Government Board may limit a time for the performance of the duty by the authority, and if it be not performed within that time the order may be enforced by mandamus, or the Board may appoint the County Council to perform the duty of the defaulting authority.

223. Has not the County Council also got the power to make byelaws under certain conditions?—The County Council has power to make byelaws for certain purposes, as to offensive trades, water-closets, and certain classes of nuisances.

224. Not an absolute power?—A power with the approval of the Local Government Board.

225. Are those powers exercised?—Whether the byelaws have been sealed or not I do not remember, but they have been exercised or are being exercised. The byelaws are in preparation if not passed.†

226. The County Council are not leaving those powers dormant?—Oh, no.

227. (*Sir Thomas Farrer.*) They have been in communication with the Local Government Board for a long while?—Yes, they have to communicate with the sanitary authority.

228. It is a long process?—It is a long process.

229. (*Chairman.*) And have they been appealed to on the ground of default?—I believe not.‡

230. And you do not know whether appeals have been made to the County Council on the ground of the default of the inferior authorities?—That I do not know. I have no official knowledge of such

231. Now going on to the Sewers other than Main Sewers, the Commissioners of Sewers in the City are the authority for that purpose?—Yes.

* *See* Dickinson, 1147.

† The byelaws were actually sealed on the 28th June 1893. *See* Dickinson, 1146.

‡ *But see also* Dickinson, 1149.

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232. And their expenses?—Are levied by a sewers rate.

233. And the vestries and the district boards outside the City are the authority?—The vestries and the district boards are the sewer authority outside the City, subject to certain regulations of the County Council.

234. (*Sir Thomas Farrer.*) How are these expenses paid?—The sewer expenses are paid out of a sewers rate.

235. In the City?—Yes, the expenses in the City are paid out of a sewers rate. There is no distinction, I believe, as to the incidence of the sewers rate and the consolidated rate. They are really separate merely in name.

236. I wanted just to get at that; the old sewers rate used to be divided between owner and occupier, I think?—"Every such rate as aforesaid" (that is to say, sewers rate and consolidated rate) "shall be "made by the alderman or his deputy and the major "part of the common councilmen of each ward upon "every person who shall inhabit, hold, occupy, possess, "or enjoy, any house or building within the City, or "partly within and partly without the City (whether "such person shall be now liable in respect of such "house or building to be assessed to the relief of the "poor, or be not liable to be assessed to the relief of "the poor in respect thereof, by reason of such house "or building being situated in any precinct or extra-"parochial place, or otherwise), according to the full "net annual value thereof respectively (except in the "several cases herein-after mentioned), the same to be "ascertained in manner herein-after mentioned; and "the said rates shall from time to time be collected "and paid yearly, half yearly, or quarterly, or oftener "if the Commissioners shall think proper, and shall "commence from such time after this Act shall come "into operation as the Commissioners shall think fit."

237. That is one rate. There is a consolidated rate in the City, is there not, which pays all the expenses of the Commissioners of Sewers?—Yes, there is a distinction in name between the sewers rate and the consolidated rate, although they are levied in the same way.

238. I wanted to ascertain whether there was any part of the sewers rate charged upon the owner, as distinguished from the occupier?—No, I do not see that there is. There are provisions, of course, for rating houses let out in apartments and so on, but I do not see that any part of it is to be paid by the owner in the case of a house in ordinary occupation.

239. (*Mr. Smith.*) There would seem to be a certain overlapping of sanitary powers between the County Council and the strictly sanitary authorities in the metropolis; does that exist anywhere else?—I am not aware that it does.

240. As an illustration, the sanitary authority defined by the Act being the vestry or district board, it would seem odd that another body should have the power of prescribing the character of its water-closets, or making byelaws as to nuisances within its area. You do not know of any other instance, I think?—No.

241. (*Sir Thomas Farrer.*) Is not the sort of principle that underlies that legislation this, viz., that the regulations for all these purposes should be uniform throughout London although the executive authority to carry them out is different, and that this object can only be got by giving the power of making general regulations to a central authority; is not that the sort of principle upon which the law acts; I do not say it is strictly carried out?—It seems to be a sufficient reason for that special provision with regard to London.

242. And then the other part of the jurisdiction of the Council is rather in the direction of seeing that the local bodies do their duty, giving to the Council the power of doing the thing required if the local bodies do not do it themselves?—Quite so.

243. With an appeal to the Local Government Board?—Yes.

244. I think that is the sort of principle that pervades it?—Yes.

245. (*Chairman.*) Now, about Main Sewers. Will you tell us what they are?—Main sewers are provided by the County Council, as successors to the Metropolitan Board of Works. They were the sewers mentioned in the schedule of the Act of 1855, and sewers which have been declared by the Metropolitan Board of Works or County Council to be main sewers, and sewers constructed by them, and the outfall works—the sewage disposal works.

246. In respect of such sewers the County Council has jurisdiction in the City as well as outside the City?—Yes.

247. There is no distinction?—There is no distinction.

248. And the expenses?—Are now borne by the county rate.

249. To which the City contributes?—To which the City contributes.

250. Like other parts of the Metropolis?—Just so.

251. You say the County Council has authority to declare certain sewers to be main sewers?—Yes, that was under the Metropolis Management Act.

252. Is that a continuing authority enabling them from time to time to declare other sewers to be main sewers?—I think so; I believe that is a continuous authority.

253. (*Sir Thomas Farrer.*) If they declare them to be main sewers, they take the expense of them?—They take the expense of them.

254. (*Chairman.*) In the event of their declaring certain sewers to be main sewers, have the district authorities, vestries, or district boards, any possibility of gainsaying it. Sir Thomas Farrer asked if, in the event of their taking over the sewers, they took over the expense of them?—They take over the expense of them, of course; they take over the responsibility of them.

255. And with respect to a debt having been contracted for their reconstruction and not wholly repaid?—That I will answer later.*

256. Then, with respect to the Housing of the Working Classes; under the Act of 1890, who are the City authority?—There are three branches of the Act of 1890: the first relates to unhealthy areas, that is to say, where the dwellings of a considerable area have to be reconstructed, the second to unhealthy dwelling-houses, where houses which are unfit for human habitation or are obstructive have to be removed or closed, and where smaller areas than can be properly dealt with under the first section have to be reconstructed; and the third as to the provision of working classes' lodging houses.

257. Is there not one clause under which the houses may be required to be repaired and put in order without being destroyed?—They would come under the houses unfit for human habitation. Under clause 2 there would be an order for closing; the authority would obtain an order for closing the houses until the necessary repairs had been effected.

258. (*Mr. Smith.*) You could do that under the Public Health Act also?—You could do that under the Public Health Act, under the Nuisance clauses.

259. (*Sir Thomas Farrer.*) That can be done, can it not, without the intervention of an authority, by means of a complaint made by other people to the magistrate, may it not?—I think a complaint might be made under the equivalent clauses of the Nuisances Removal Act by any person aggrieved or by a certain number of rate-payers. It is complaint of the existence of a nuisance; that would be the existence of a nuisance, because the nuisance would be premises in such a state as to be a nuisance, or dangerous, or injurious to health. If a house is such nuisance, an order may be made prohibiting a dwelling-house from being used for human habitation, and proceedings for the removal of a nuisance under section 12:—"Complaint may be

* *See* Answer to Q. 745.

" made by any person, and thereupon the like pro-
" ceedings shall be had with the like incidents and
" consequences as to making of orders, fines for
" disobedience of orders, appeal, and otherwise, as in
" the case of a like complaint by the sanitary
" authority."

260. (*Chairman.*) Now, about unhealthy areas?—For unhealthy areas the Commissioners of Sewers are the local authority in the City, and the County Council in the metropolis outside the City.

261. (*Mr. Smith.*) That is an unhealthy area of large dimensions?—Yes, that is under Part 1 of the Act of 1890.

262. What we used to call Cross' Act?—Yes; the central authority for the City being the Secretary of State, and the same for the rest of London.

263. (*Chairman.*) Have the Commissioners of Sewers done much with respect to that Act?—I could not say how many schemes there have been, but there have been a considerable number of schemes in the City I believe, for that purpose. They have not officially come before me, therefore I could not say how many.*

264. And a large number outside?—A large number outside.

265. With respect to unhealthy dwelling-houses, either the vestries or the district boards are the local authority?—They are; the vestries and district boards.

266. (*Sir. Thomas Farrer.*) Is that the same thing as Part 2?—That is Part 2; and that includes, of course, really the making of schemes of very much the same character as those under Part 1, only for smaller areas.

267. (*Chairman.*) And the County Council, though not the first authority, have the power of coming in?—They have in certain cases power to come in.

268. (*Sir Thomas Farrer.*) And of sharing the expense?—And of sharing the expense: they are exercising that power.

269. I think it is not always easy to say whether a scheme ought to be under Part 1 or under Part 2?—It is not.

270. (*Chairman.*) Can you generally describe what are the circumstances which enable the County Council to come in?—The provisions are these: this is section 46, sub-section 5.

271. (*Sir Thomas Farrer.*) Is this Part 1 or Part 2?—It is Part 2 as I understand, as to which the question is asked: "Where it appears to
" the County Council, whether in the exercise of the
" powers of a vestry or district board, or on the repre-
" sentation of a vestry or district board or otherwise,
" that a scheme under this part of this Act ought to
" be made, the Council may take proceedings for
" preparing and obtaining the confirmation of a
" scheme, and the provisions of this Act respecting
" the scheme shall apply in like manner as if they
" were the vestry or district board, and all expenses
" of and incidental to the scheme and carrying the
" same into effect shall, save as herein-after mentioned,
" be borne by the County fund." And then sub-section seven: "The County Council may, if they
" think fit, pay or contribute to the payment of the
" expenses of carrying into effect a scheme under
" this part of this Act by a vestry or district board,
" and if a vestry or district board consider that the
" expenses of carrying into effect any scheme under
" this part of this Act, or a contribution in respect of
" those expenses, ought to be paid or made by the
" County Council, and the County Council decline or
" fail to agree to pay or make the same, the vestry or
" district board may apply to a Secretary of State,
" and if the Secretary of State is satisfied that, having
" regard to the size of the area, to the number,
" position, structure, sanitary condition, and neigh-
" bourhood of the buildings to be dealt with, the
" Council ought to pay or make a contribution in
" respect of the said expenses, he may order such
" payment or contribution to be made, and the amount
" thereof shall be a simple contract debt from the
" Council to the vestry or district board."

272. Is not Part 1 for large schemes which are to be wholly undertaken by the Council?—That is so.

273. Part 2 relates to smaller schemes which may be undertaken either by the vestry or by the Council; and in this case provision is made for sharing the expense by means of an arbitration by the Secretary of State?—That is so.

274. (*Chairman.*) Is there any provision in the second class of cases requiring the power which is going to put the matter into operation, to give notice to the other before it begins?—Any vestry or district board has, if I remember rightly, to give notice. It is section 45, this is also Part 2: "(1.) Where the
" medical officer of health or any inhabitant house-
" holders make a representation or complaint, or give
" information to any vestry or district board in the
" administrative county of London or to the local
" board of Woolwich, or to any rural sanitary autho-
" rity elsewhere (which vestry, board, or authority,
" is in this Act referred to as the district authority)
" or to the medical officer of such authority, either
" respecting any dwelling-house being in a state so
" dangerous or injurious to health as to be unfit for
" human habitation, or respecting an obstructive
" building, and also where a closing order has been
" made as respects any dwelling-house, the district
" authority shall forthwith forward to the county
" council of the county in which the dwelling-house
" or building is situate, a copy of such representation,
" complaint, information, or closing order, and shall
" from time to time report to the council such
" particulars as the council require respecting any
" proceedings taken by the authority with reference
" to such representation, complaint, information, or
" dwelling-house. (2.) Where the county council
" (*a*) are of opinion that proceedings for a closing
" order as respects any dwelling-house ought to be
" instituted, or that an order ought to be made for
" the demolition of any buildings forming or forming
" part of any dwelling-house as to which a closing
" order has been made, or that an order ought to be
" made for pulling down an obstructive building
" specified in any representation under this part of
" this Act; and (*b*) after reasonable notice, not being
" less than one month, of such opinion has been
" given in writing to the district authority, consider
" that such authority have failed to institute or
" properly prosecute proceedings, or to make the
" order for demolition, or to take steps for pulling
" down an obstructive building; the council may
" pass a resolution to that effect, and thereupon the
" powers of the district authority as respects the said
" dwelling-house and building under this part of this
" Act (otherwise than in respect of a scheme) shall
" be vested in the county council, and if a closing
" order or an order for demolition or for pulling
" down an obstructive building is made and not
" disallowed on appeal, the expenses of the council
" incurred as respects the said dwelling-house and
" building, including any compensation paid, shall be
" a simple contract debt to the council from the
" district authority."

275. (*Sir Thomas Farrer.*) You see it comes to the same thing in principle as the case of main sewers. It is the interest of each body to get the other to do it, in order to avoid the expense, and consequently the first step that either authority takes is to communicate with the other authority and see whether the other authority will not do it, that is what really happens?—Yes, quite so.

276. (*Chairman.*) Now about working classes' lodging houses?—That is a power to provide lodging houses for the working classes, and that rests with the Commissioners of Sewers in the City and with the County Council in the rest of the metropolis.

277. Has it been exercised in the City, do you know?—I do not know whether it has been exercised in the City; it has been exercised by the County Council, I believe.

* *See also* Blake, 1960.

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278. (*Mr. Crawford.*) The Corporation have built lodging houses out of their own funds and apart from any Act and the Commissioners of Sewers have done so also?—Yes.

279. (*Chairman.*) Now the next is the Regulation and Inspection of Common Lodging-houses?—The common lodging houses Acts, as far as I can ascertain, do not apply to the City of London, but there are some provisions in the City of London Sewers Act, 1851, under which, I presume, something like the same work is done by the Commissioners of Sewers; in the rest of the metropolis the Commissioner of Metropolitan Police, under the control of the Secretary of State, makes and enforces regulations and the provisions of the Act.

280. The County Council has nothing to say to it?—The County Council has nothing to say to it.

281. (*Mr. Smith.*) Nor the sanitary authority?—Nor the sanitary authority.

282. (*Chairman.*) They regard it as purely a police matter?—It has been regarded purely as a police matter.

283. (*Mr. Crawford.*) Except in the City?—Yes.

284. (*Chairman.*) We are talking now of the police area?—The expenses of that part are part of the expenses of the police.

285. Now we come to some common powers of the City and the rest of London, the Regulation of Building?—Yes, as regards the greater part of the Metropolitan Building Acts the County Council appear to be the authority for the whole of the county.

286. You have something to say about the reservation of the powers of the Commissioners of Sewers?—There are some powers relating to buildings in the Sewers Acts of 1848 to 1851, and the Metropolitan Building Acts specially provide that those powers shall not be interfered with. "But nothing herein contained "shall affect the exercise of any powers vested by "any Act of Parliament in the Commissioners of "Sewers of the City of London for the time being."

287. And what am I to understand is the practical result of that, if buildings are proposed to be erected in the City; is it the County Council or is it the Commissioners of Sewers that sees that those buildings conform to the conditions of the Building Act?—I suppose, practically, it would be the officers, the district surveyors, appointed by the County Council.

288. The district surveyor of the County Council supervises the erection of buildings in the City?—Yes.

289. And the reservation of power to the Commissioners of Sewers appears to be very little?—I do not suppose it is very much.

290. As regards dangerous buildings, what are you going to tell us?—That there the Commissioners of Sewers are the authority in the City.

291. And for the rest of the metropolis?—The County Council.

292. Not the sanitary authorities but the County Council?—The County Council.

293. Not the vestry or district board?—No, originally under the Act of 1855 the authority for that purpose was the Commissioner of the Metropolitan Police, I believe, and then that was altered.

294. Transferred to the County Council?—Transferred to the Metropolitan Board of Works by the Metropolitan Building Act, 1869, and it has now become vested in the County Council.

295. Now as to Highways other than Main Roads, what is the administration in and outside the City?—In the City it rests with the Commissioners of Sewers under section 119 of the City Sewers Act, 1848, and also under Michael Angelo Taylor's Act, 57 Geo. 3., chapter 29, and perhaps under many Local Acts, but that is more than I can say; there have been many Local Acts relating to highways, streets, and so on; but now within the City the sole authority respecting paving and maintaining the roads is the Commissioners of Sewers. I am not aware whether Hatton Garden is outside the City, there is a small place there that I think is under a Local Act.

296. Ely Place?—Ely Place, yes, but that is outside the City, I think.

297. (*Mr. Crawford.*) That is the portion, I think, that Mr. Rotton refers to, as I am not aware of any other body in the City, except the Commissioners, having the power?—No.

298. (*Chairman.*) And the Common Council, have they any powers in the City?—No, I think as to the maintenance or the repair of roads, it is all vested in the Commissioners of Sewers.

299. As to the use of roads you say they have?—Quite so, they have, under the Local Government Act, power of making certain byelaws and regulations in regard to locomotives and the use of locomotives.

300. But in certain cases with the approval of the County Council?—Yes, in certain cases with the approval of the County Council, that is, under the Local Government Act, section 41, sub-section 4 (*a*). "In the City of London the Common Council shall "have the power under the Highways and Loco-"motives (Amendment) Act, 1878, of making "byelaws respecting locomotives, and authorising "locomotives to be used on any road within the City, "save that if any difference is made by such byelaws "or authority between any main road maintained by "the County Council and the other roads in the City, "such authority and byelaws shall require the "approval of the County Council."

301. It is when the use of a main road comes in that the County Council's power is reserved?—Yes.

302. Outside the City these highways other than main roads?—Are under the vestries and district boards.

303. And the County Council has nothing to say to them?—The County Council has nothing to say to them, except as to main roads.

304. (*Sir Thomas Farrer.*) And is not the leave of the County Council required for shutting up a street for the purpose of repairs or otherwise?—It is possible that there is such a provision, I was rather thinking of the duty of repairing and maintaining them and the regulation of the traffic.

305. And there are certain thoroughfares such as the Thames Embankment?—Of course, there are certain thoroughfares which under what we may call local or special Acts have been constructed by the Metropolitan Board of Works and remain with the County Council as their successor.

306. (*Chairman.*) The creation of the County Council or its predecessor?—Yes.

307. (*Mr. Smith.*) And as you have noted they are the authority for tramways?—Yes.

308. In respect of these tramways being made over, the County Council is the tramway authority?—Yes, I do not know whether there are any separate road commissions, it is just possible; I am not quite sure as to Regent Street, there are certain paving commissions that may be in existence, I do not know whether there are.*

309. (*Chairman.*) Extra-parochial areas you mean?—No, Regent Street was made by the Commissioners of Public Works, and it remained under them for some considerable time; I do not know how far that is the case, but that is merely what we may call a local exception.

310. The Main Roads, City and extra mural?—The provisions as to main roads apply to London the same as to any other places.

311. And the Common Council in the City occupies the position of a vestry outside the City towards the County Council?—That is so.

312. (*Sir Thomas Farrer.*) The result of that, is that there has been some contention, has there not, in London, as there has in many other places, as to what can be properly considered main roads?—I did not know that there had been any, I was not aware of it officially.

* *See also* Dickinson, 1152.

313. There have, I think, been certain appeals to the Local Government Board as to what shall be considered main roads, the parishes wishing to throw on the Council streets which originally were maintained by turnpikes?—I do not remember that there had been any such appeals in regard to London.*

314. Yes, there have been some appeals as to the amount of expense which the Council ought to bear, but the Council will give us all that?—Yes, I could, of course, find out, but I do not remember as a fact that there have been any.

315. (*Chairman.*) You do not know anything practically of the operation of those relations between the County Council and the subordinate boards?—No.

316. Now, will you describe to us the organisation of the Water Supply?—Well, under the Metropolitan Water Act there are certain provisions in regard to requiring a constant supply, and otherwise in regard to the control of the companies, and under those provisions the Mayor, aldermen, and commons in the City and the County Council outside the City are the authority.

317. And the Local Government Board is the ultimate authority?—The Local Government Board is the central authority substituted for the Board of Trade which was in the Act.

318. The water is altogether supplied by private companies?—Altogether supplied by private companies.

319. Having their districts allotted to them?—Having their districts allotted to them.

320. And there is no portion uncovered by a company?—There is no portion uncovered by a company.

321. And the Common Council in the one case and the County Council in the other have authority to require a constant supply?—That is so.

322. For public or private purposes, or both?—A constant supply, I presume, would be for all the purposes for which water is supplied.

323. By inhabitants in their households as well as by those bodies for public purposes?—Decidedly. Section 8 of the Act of 1871 says: "At any time after "the expiration of six months from the passing of this "Act, the metropolitan authority shall, whenever they "are of opinion that there should be in any district "a constant supply, make application to the company "within the water limits of which such district is "situate, requiring a constant supply in such district, "and any company may without any such application "propose to the metropolitan authority to give a "constant supply in any district. When application "has been made to any company requiring such "company to provide a constant supply, or when "any company has given notice to a metropolitan "authority of a proposal to give a constant supply in "any district, and the company so required, or the "metropolitan authority upon whom notice of such "proposal has been served object to such requisition "or proposal, it shall be lawful for such company or "metropolitan authority, within one month after the "making of such application or service of such "notice, to present a memorial to the Board of "Trade, setting forth their objections to such requi-"sition or proposal, and the party presenting such "memorial, or such company, shall give notice to the "other party of the presentation of such memorial, "and shall transmit to such party a copy of the same. "The Board of Trade shall, as soon as conveniently "may be after the receipt of such memorial, take the "same into their consideration, and may, if they "think fit, institute any inquiry in relation thereto, "and may hear such company and authority desiring "to be heard, and may make such order in reference "thereto, and as to the costs thereof and incident to "the same, as to them shall seem just."

324. It is entirely apparently with reference to the constancy of the supply?—That section is entirely as to the constancy of the supply. There is some provision generally, I think, in regard to default.

* *See also* Answer to *Q.* 476.

325. Having relation to the same thing, permanent supply?—Yes.

326. We may take that for granted, but how about conditions as to purity of supply?—As to the conditions of purity the Local Government Board are to appoint a competent person to inquire into the quality of the water. He is to be the water examiner; he is to be paid by the companies. An auditor is also appointed by the Local Government Board.

327. (*Sir Thomas Farrer.*) Neither the City nor the London County Council have anything to do with that?—Neither. I think there is in the earlier Act a general provision in regard to a complaint where the supply is not sufficient. The Act also provided for regulations being made for preventing undue consumption and waste of water, but those also were made by the Board of Trade; at least, approved by the Board of Trade, and not by the local authorities.

328. (*Chairman.*) I suppose without express statutory authority these public bodies could communicate with your office to say there was a case for examination?—No doubt.

329. (*Sir Thomas Farrer.*) But there was special reason, was there not, for bringing in the local authority in the case of a constant supply, because the great difficulty of a constant supply has been the obligation on the householder to have new fittings?—Certainly.

330. And that has been the great difficulty in introducing a constant supply?—Certainly. I should have added that in the Act of 1852—the Act which I have been quoting is the Act of 1871—there is a provision that before any company resorts to any new source of supply they must give notice to the Local Government Board, which has to certify its approval or disapproval; and that if at any time complaint as to the quantity or the quality of the water supplied by any company for domestic use be made to the Local Government Board by memorial in writing signed by not less than 20 householders a person may be appointed to inquire into the same, and notice may be given to the company if complaint be found to be well founded to remove the ground of complaint.

331. (*Mr. Smith.*) All these powers have reference to control?—Yes.

332. I understand that there is no statutory authority in London—no statutory body having any right to acquire the water undertaking?—I believe not.

333. That is different, of course, from other municipalities; the Public Health Act, 1875, would give them that power?—Yes, quite so.

334. (*Sir Thomas Farrer.*) Those powers which have been acquired are those acquired by the Council under recent Acts, which only go to give them power to spend money in inquiries?—Yes.

335. (*Mr. Smith.*) And the powers of the Public Health Act, 1875, which are common to the rest of England do not apply to the metropolis?—Do not apply to the metropolis.

336. (*Chairman.*) As to the provision you mentioned about resorting to new sources of supply; can any company do that without parliamentary authority?—Well, it is possible. A recent case I remember was the case of a well; I presume the company had purchased by agreement a piece of land.

337. (*Sir Thomas Farrer.*) Is there anything to prevent the East London Company, for instance, from sinking an additional well upon land which they may purchase, and bringing the water which they pump from that well into their ordinary supply?—No.

338. (*Chairman.*) Without having already got authority to do it?—Of course, that would depend upon the terms upon which their powers were originally given them. It is impossible to say without reference to the Act authorising the construction of the works of the company what powers they have with regard to new works. In a great many cases there are powers given for purchasing land by

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agreement, not exceeding so many acres, and so on. That would enable them practically to make some new works without going to Parliament. I remember there was a case quite recently, in which, I presume, without fresh Parliamentary powers, a water company came to the Local Government Board for their approval to a new source of supply; but I do not see that there is anything to limit that provision to sources of supply not approved by Parliament.

339. It may be that it was held that even after Parliament has approved a source of supply, before it is practically brought into use, the quality of the water should be approved by some central department. I do not think the terms of the section exclude the case.

340. (*Sir Thomas Farrer.*) Is that the Act of 1851?—The Act of 1852.

341. Is it not the case that at the time that Act was passed, the water companies were not under any strict control at all; they had got their sources from the Thames, from the Hampstead ponds, from a variety of places, many of which were found to be very improper places?—No doubt.

342. Then there was a committee about it which sat in or about 1851—Sir James Graham, I think, was chairman—and they recommended that the companies should, for the future, be put under stringent obligations not to obtain water, they were prevented from obtaining water, below bridge?—Yes, quite so.

343. And then they were not to obtain water from any other sources without the consent of a Government department?—That was so.

344. But independently of that provision I do not think there is anything, is there, preventing companies from getting water from any source where they have the power to do it by possession of land and by possession of capital?—As I say, I think it would depend, of course, upon the terms of each company's Acts, what its powers are; there is no general Act, I think.

345. Do you think there is anything—for instance, take the Kent Company, which get their water from wells—is there anything to prevent the Kent Company from sinking a new well whenever they please?—That is impossible to say without looking at the Kent Company's Acts. The Act of 1852 was the Act which restricted them from taking any water below Teddington Lock. "From and after the thirty-"first day of August, one thousand eight hundred "and fifty-five, it shall not be lawful for any "company supplying the metropolis, or any part "thereof, with water for domestic use, except the "Governor and Company of Chelsea Waterworks, to "take any water for such purpose from any part of "the River Thames below Teddington Lock, or from "any part of any of the tributary rivers or streams "of the River Thames below the highest point where "the tide flows in such tributary rivers and streams "respectively, and from and after the thirty-first day "of August one thousand eight hundred and fifty-six, "it shall not be lawful for the said Governor and "Company of Chelsea Waterworks to take any water "for domestic use from any part of the River "Thames below Teddington Lock." And then there is a provision that reservoirs within a certain distance—five miles of St. Paul's—should be covered.

346. There are a great many provisions about the purity of water?—Yes.

347. And at that time there was nothing in the nature of the Metropolitan Board of Works; there was only the Corporation in the City?—Quite so.

348. And there was nothing except the vestries in London?—Except the old vestries.

349. So that whatever powers of control were then given were naturally given to Government Departments?—Yes, certainly.

350. (*Mr. Crawford.*) I do not know whether you have had your attention called to recent Acts of the water companies in regard to the creation of a sinking fund?—Well, I have not gone into that question with reference to this; I have had occasion previously to look into that.

351. You do not know whether under the recent Acts there is a sinking fund to be created, of which the treasurer is the chamberlain of the City for the time being, with a view to the ultimate purchase of the water companies?—Yes, quite so, certainly.

352. And I assume you do not give it us as your opinion that the water companies, even under the Acts, can claim an exclusive monopoly of supply?—No, I believe no water company has an exclusive monopoly, under any Act I may say.

353. Is there anything to prevent, for instance, the Commissioners of Sewers sinking a well themselves and supplying the citizens of London with water, and then charging them for it, assuming that the parties are willing to take it upon an agreed price?—As against the companies, I think the Commissioners of Sewers would have such a right. I mean to say the company has no statutary monopoly, or has no statutary right to exclude the Commissioners of Sewers or anybody else, but whether the Commissioners of Sewers themselves have the power to make such works I could not say.*

354. (*Chairman.*) Without the authority of Parliament?—Without the authority of Parliament; I do not know. The powers of the Commissioners of Sewers are very wide for sanitary purposes, but I am not aware that there is any enactment giving the Commissioners of Sewers power to provide water.

355. I suppose you would say outside the City, in the area of the County Council, although any particular company could not forbid any particular authority undertaking the work, the County Council is not the authority to do it?—Certainly, neither the County Council nor the sanitary authorities have the power to do it.†

356. (*Sir Thomas Farrer.*) And is it not the fact that the Water Acts differ considerably from the Gas Acts in this, that whereas in the case of gas London was divided into districts among the separate companies by an Act of Parliament, nothing of the sort has been done in the case of the water companies. Whatever exclusive position each company has, has been done by arrangement between themselves without any direct parliamentary sanction, is not that so?—I believe that is so. I could not say whether there may not be in some of the Acts a limitation, but generally there has been no general enactment, such as there was in the Metropolis Gas Act, providing for the districting of the metropolis with reference to the supply of water.

357. On the other hand, the difficulty of introducing a new supply where a company has already got possession of the streets would be very great indeed, would it not?—That is an engineering question upon which, of course, I cannot express an opinion.

358. (*Mr. Crawford.*) Only one other question: you are aware, I suppose, that under recent Acts notice has to be given, certainly to the Corporation, of the sale of stock?—Yes, quite so.

359. (*Chairman.*) We may as well take Baths and Wash-houses in connexion with the water?—The Commissioners of Sewers are the authority in the City, and in the rest of the metropolis the vestry of each parish.

360. District boards have nothing to say to it?—District boards not being the authority.

361. (*Sir Thomas Farrer.*) District boards are not the authorities, are they?—No.

362. (*Chairman.*) Where parishes contribute to district boards for other purposes the parishes are exempt in respect of baths and wash-houses?—Yes.

363. The borrowing of money with respect to baths and wash-houses requires the sanction of the Local Government Board?—The sanction of the Local Government Board, yes.

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* *But see also* Blake, 1961.

† *But see also* Dickinson, 1157.

364. Petroleum and Explosive Acts?—The Lord Mayor and aldermen are the local authority in the City, and in the rest of the metropolis the County Council.

365–6. The Lord Mayor and aldermen, not the Common Council?——

(*Mr. Crawford.*) That under the Local Government Act is now transferred to the Common Council?—Is it? Under the Local Government Act?

367. (*Mr. Crawford.*) Section 41, sub-section 1(*a*): "Such of them as would, if the City were a quarter "sessions borough with a population exceeding "10,000, be exercised by virtue of this or any other "Act by the council of the borough, shall be trans-"ferred to the mayor, commonalty, and citizens of the "city acting by the council." So that that would transfer the former duties of the Court of Lord Mayor and Aldermen to the Court of Common Council, and they carry out the Act at the present moment?—Is that so? Because that speaks merely "of the powers, "duties, and liabilities of the court of quarter sessions "and justices of the City of London"; was that a duty of the quarter sessions?

368. Are you reading the same section 41?—41, sub-section 1 (*a*).

369. "Of the powers, duties, and liabilities of the "Court of Quarter Sessions and Justices of the "City of London"?—Such of those powers as would, if the City were a quarter sessions borough with a population exceeding 10,000, be exercised by the Council, shall be transferred to the mayor, commonalty, and citizens of the City acting by the council. Were the powers under the Petroleum Acts powers of the Court of Quarter Sessions and Justices?

370. No; they were powers of the Court of Aldermen, but now transferred under section 41 read in conjunction with section 100?—Then instead of the Lord Mayor and aldermen it should be the commonalty.

371. (*Chairman.*) And the County Council are the authority for the rest of the metropolis?—Yes.

372. Then the Fire Brigade is one service for the whole of the metropolis?—That is so.

373. And does the City contribute like the rest of the metropolis towards the expense of that?—So far as it is not borne by the insurance companies. I presume it would be borne by the county rate, and as for a general county purpose to which the City would contribute.

374. (*Mr. Smith.*) Might I ask on that, as a matter of curiosity, how did you come to get that contribution from the insurance offices, was it a matter of bargain? I cannot say. They had before, I believe, kept up a corps—a fire brigade of their own.

375. (*Chairman.*) The Metropolitan Commons and Open Spaces?—The County Council is the authority as regards any common situated in the metropolis, and may contribute towards the expense of any other metropolitan commons.

376. You distinguish between commons and open spaces?—Yes, the distinction being the open spaces which are dealt with under the Metropolitan Commons Act, which were commons which were subject to the Inclosure Acts, and the other being open spaces, such as the gardens fronting squares and disused burial grounds, and so on, which were not subject to the Inclosure Acts.

377. There would be no commons within the City itself?—I presume there could be no commons in the City when Moorfields ceased to be a common; that would be the last, I suppose. I might add, in regard to commons, that under the later Act the City of London had power to expend money in preserving open spaces in the neighbourhood of London.

378. (*Mr. Crawford.*) Under section 4 of the Open Spaces Act of 1878 "The Corporation may acquire "by purchase, gift, or otherwise, the freehold and "inheritance of or any other estate or interest in any "common, commonable land, or open space not within "the metropolis as defined by the Metropolis Manage-"ment Act, 1855, but within 25 miles from the part "of the boundary of the City of London which is "nearest to such common."

379. (*Chairman.*) Under that they acquired Epping Forest?—That did not apply to Epping Forest, that was a separate thing.

380. Burnham Beeches?—Did they acquire Burnham Beeches?

381. (*Mr. Crawford.*) Burnham Beeches was acquired under this Act, also Coulsdon Commons?—Yes

382. (*Chairman.*) Any expense which the County Council may incur under the Metropolitan Commons Act is paid by the whole of the metropolis?—Is paid by the whole of the metropolis.

383. Including the City?—Including the City.

384. (*Sir Thomas Farrer.*) A general rate?—It would be a general county purpose.

385. (*Chairman.*) Then as regards open spaces, the Corporation is the local authority in the City?—In the City.

386. And outside the City?—The County Council.

387. (*Sir Thomas Farrer.*) What the City have done in the way of acquiring open spaces inside the City is not held to relieve them from contributing to the common fund for open spaces which the County Council administer?—I think not.

388. (*Chairman.*) But outside the City in some cases the vestries appear to be the authority?—Outside the City, for certain purposes under the Act of 1881, the vestries and district boards are the authority. Of course the Open Spaces Act relates to spaces of a very different character. Under the Act of 1881 open spaces meant any land unbuilt on and which is laid out as a garden, or is used for the purpose of recreation, or lies waste and unoccupied. Section 2 gives power to the trustees in whom such an open space is vested to transfer it for valuable or nominal consideration or by way of gift to the Metropolitan Board or the vestry or district board of the parish or district, to the end that the same may be preserved for the enjoyment of the public, with certain consents of persons interested.

389. (*Sir Thomas Farrer.*) Do you know that there has been the same struggle in this respect as there is in others as to whether the expenses of certain of these open spaces should be born by the central fund or by the local funds of local bodies?—Quite so.

390. That struggle is still going on?—Yes.

391. (*Chairman.*) It is altogether voluntary action that is contemplated under that Act?—It is altogether voluntary action.

392. On all sides?—Yes, quite so. And there is a provision in section 7 that in certain cases the Metropolitan Board of Works (now the County Council) or the vestry or district board, may jointly carry out the provisions of the Act, and may enter into agreements for so doing and for defraying the expense.

393. (*Sir Thomas Farrer.*) And that has been acted upon in several cases, has it not?—I suppose it has, but in the City of London that rests with the Corporation of London, the expense to be paid out of the metage on grain.

394. (*Chairman.*) With respect to Hackney Carriages and Stage Carriages?—Those are licensed throughout the metropolis by the Commissioner of Metropolitan Police.

395. What does "metropolis" mean there?—Inclusive of the City.

396. Would it extend to the police area?—It extends as such to the police area.

397. Yes, but I mean does it extend to the metropolitan police area?—It is the metropolitan police district.

398. And as far as the metropolitan police go they regulate hackney carriages?—There would be some limit, because certainly they do not license hackney carriages throughout the whole metropolitan police district. I presume that probably the order of the Secretary of State under the Act did not extend to the whole of the district; here is the order, the order of

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the Secretary of State appears to be one in 1871. I cannot answer that question.*

399. And do they license persons as well as carriages?—They license drivers and carriages.

400. And the stands for carriages plying for hire?—Those are settled outside the City by the Commissioners of Police, and inside the City with the consent of the Lord Mayor and aldermen.

401. Not the Common Council?—I believe it is the Lord Mayor and aldermen.

402. The Court of Aldermen?—The Court of Aldermen.

403. Have they any other authority inside the City beyond that of appointing the stands?—Not under the Hackney Carriages Acts that I am aware of.

404. (*Sir Thomas Farrer.*) Then it is the commissioner of metropolitan police that licenses them in the City?—Yes. There is no licensing power in the Commissioner of City Police.

405. (*Chairman.*) The authority under the Tramways Acts?—Is the Common Council in the City.

406. And the County Council?—And the County Council outside the City; the vestries and district boards are road authorities.

407–10. (*Sir Thomas Farrer.*) Is there any tramway in the City?——

(*Mr. Crawford.*) No; it is not allowed; we have never allowed it.

(*Chairman.*) The Common Council have had nothing to do with tramways so far.

(*Mr. Crawford.*) Except in opposing; that is a great deal, because they have been successful.

411. (*Chairman.*) These authorities of the County Council and of district and vestry authorities in respect of tramways, do they overlap?—No, I do not think they do. Of course, the vestries and district boards having the control of the roads generally, a certain control over the construction and repair of tramways is vested in them.

412. The terms of construction have to be agreed with the vestries?—They would have to approve the method of the construction of the roads, and so on; but the local authority that can apply for the making of tramways in the metropolis is the County Council.

413. (*Sir Thomas Farrer.*) And for purchasing tramways?—For purchasing tramways, the authority is the County Council, not the vestries and district boards.

414. (*Chairman.*) But conditions are settled between the tramway projectors and the vestries as to the terms upon which lines may be laid down?—Yes; the Tramway Acts make certain provisions as to the consent of the road authority being required for certain purposes; and each order under the Tramway Acts, if I remember rightly, makes provision as to the responsibility for the repair of part of the road.

415. (*Sir Thomas Farrer.*) Very elaborate provision as to the way in which the expense of repairing and maintaining the road is to be borne?—Yes.

416. And I think, as to making the tramways, the road authority's consent is required, with an appeal to the Board of Trade, is it not?—I think that is so.

417–21. (*Mr. Smith.*) May I ask on tramways whether it is the practice in London for the County Council or for the tramway company to become the promoter of the order?——

(*Sir Thomas Farrer.*) The County Council have never promoted an order.†

(*Mr. Crawford.*) It is always private companies that promote.

(*Chairman.*) The City, as a matter of fact, have had nothing to do with tramways hitherto?

(*Mr. Crawford.*) Except to oppose them on the ground of the gross interference with the traffic of the City.

422. (*Chairman.*) Public Libraries?—There, in the City, the Common Council would be the library authority.

423. Could the Libraries Act be adopted in the City by any parish?—I do not think it could. If it were adopted in the City at all, it would have to be adopted in the City as a whole. The Act, if I remember right, contains some provisions as to the Lord Mayor ascertaining the assent of the people.

424. (*Mr. Crawford.*) You may take it from me that the Common Council are really the authority under the Act; but it has never been put in force, for the simple reason that the Corporation have erected their own library, and manage it.

425–6. (*Chairman.*) The Guildhall Library is so good that the machinery has never been used?——

(*Mr Crawford.*) Only they have a right to levy a rate exceeding 1*d.* in the £.

427. (*Mr Holt.*) It says here that there is no limit to the rate?—No, the rate is not limited; in the City there is no rate.

428. (*Chairman.*) In the City?—In the City.

429. (*Mr. Crawford.*) Outside it is 1*d.*?—Yes, outside.

430. (*Mr. Smith.*) It is unlimited in Birmingham?—Indeed.

431. (*Chairman.*) Outside the city in the rest of the metropolis?—It may be adopted either by a parish or by a district; in each case the body to carry the Act into execution being commissioners appointed by the vestry or by the district board.

432. Has there been any contradiction between parishes and districts?—I am not aware that there has. I rather think that in all the cases in which the Act has been adopted in the metropolis it has been adopted by parishes. The power of districts to adopt the Act arises under one of the later Acts, and I think the adoption has been entirely, or for the most part, by parishes.

433. The County Council has nothing to say to it?—The County Council has nothing to say to it in any case.

434. Markets?—The County Council has no power as to markets.

435. (*Sir Thomas Farrer.*) Except to spend money upon inquiry?—Quite so; yes. Practically the City has provided the markets for London. With the exception of Covent Garden and Spitalfields, practically all the great markets of London are provided by the city.

436. (*Mr. Smith.*) Those are both private?—Those are both private under charters or Acts. These city markets are not only in the City, but are, some of them, outside the City, as the cattle market at Islington, and the Deptford Cattle Market, and part, I believe, of the Metropolitan Meat Market is outside the City.

437. (*Chairman.*) Part of Smithfield?—Part of Smithfield.

438. (*Mr. Crawford.*) It is within the district of the Holborn Board of Works—part of it?—Yes.

439. (*Chairman.*) But it is provided by the City?—Provided by the City under special Acts authorising the City to borrow.

440. That means the Common Council?—That means the Common Council, not the Commissioners of Sewers.

441. (*Sir Thomas Farrer.*) This is one of the few cases in which the City is still the general authority for the whole of London?—It is such a case.

442. What was the status of Hungerford Market when it existed?—Hungerford Market was a private market, I think.

443. (*Mr. Crawford.*) Yes, it was promoted by a private company, with the assent of the Corporation?—Yes, of course the Corporation had charter rights of preventing any other market being set up within the seven miles; but I suppose they have given their consent to the Acts, of which there have been a good many at different times setting up private markets.

444. (*Chairman.*) Covent Garden Market exists under charter?—I believe under charter; and also under Acts. I should think that very probably it

* The power of the Commissioner extends over the whole of the Metropolitan Police District and over the City too, *see* Appendix G.

† *But see* Dickinson, 1160.

arose originally from the old convent. In many cases markets arose in the precincts of religious houses.

445. With respect to Lunatics?—With respect to lunatics practically the City may be said to be in the position of a county. It provides its own lunatic asylum, and it also pays for such lunatics as a county would pay for; that is to say, if non-settled lunatics are taken to the asylum from the City; but it receives from the county of London the payment under section 24 (2) (*g*) of the Local Government Act, 1888 in respect of such lunatics 4*s.* a head weekly.

446. The county of London is merely the conduit through which that grant comes?—Quite so. It distributes it just as a county makes the same grant to boards of guardians in respect of lunatics which are chargeable to the union

447. (*Secretary.*) Are there boards of guardians in the City?—Yes.

448. How is it that the payment under that section from the Exchequer contribution account is not made to them?—Payment would be made to the board of guardians in the city in respect of lunatics who are chargeable to the union, but not in respect of lunatics who are non-settled and who are chargeable to the county.

449. (*Chairman.*) And for the rest of the metropolis?—The County Council are the local authority.

450. Have they any asylum of their own, or any authority over any asylum?—The County Council have three or four asylums.

451. For lunatics?—For lunatics. There have been some transfers lately, so I cannot say how many.

452. (*Sir Thomas Farrer.*) They have built one new one, and they are going to build another?—Yes.

453. (*Mr. Smith.*) Where is the city asylum?——(*Mr. Crawford.*) Near Dartford in Kent, a place called Stone.

454. (*Chairman.*) Which are the County Council asylums?—Hanwell, Claybury, and Colney Hatch.*

455. The last subject that you are prepared to speak at present about is Cemeteries?—As to those, the Commissioners of Sewers are the burial board for the City, and outside the City each vestry appoints the burial board for the parish, the Secretary of State being the central authority, and in the cases outside the City the Treasury approving the loan.†

456. Each vestry has got a burial board of its own?—Each vestry has, or may have, I presume, a burial board of its own.‡

457. (*Sir Thomas Farrer.*) Is it each vestry or the district boards?—It is each vestry, I think, not only the sole vestries but the grouped vestries.

458. (*Chairman.*) Within the City you give some authority to vestries?—Well, there is a provision under the City of London Burial Act of 1837 which requires the assent of the majority of the vestries under the Burial Act. In general the amount of expenditure of the burial board has to be approved, I think, by the vestry, and in that case at all events the approval of the vestry is therefore required to the acts of the commissioners. In the City of London the approval of a majority of the vestries is sufficient. I presume that it was found that to get the assent of all the vestries in such a large number of parishes as the City is composed of was impracticable, and that, therefore, the approval of the majority of them was made sufficient.

459. What cemeteries have the Commissioners of Sewers provided?—I do not know what they are, but there is the City of London cemetery.

460. (*Mr. Crawford.*) At Ilford?—At Ilford, yes. The cemeteries, of course, provided by the parishes outside are very numerous.

461. (*Sir Thomas Farrer.*) The County Council has nothing to do with cemeteries?—The County Council has nothing whatever to do with them.

462. (*Chairman.*) The Mortuaries, are they provided in the same way by parishes?—I am not aware that there is any other provision in regard to the City, but the Commissioners of Sewers would have power to provide, and would, I suppose, be under obligation to provide mortuaries, as one of the authorities under the Public Health Act, 1891, and similarly vestries and district boards would be.

463. (*Sir Thomas Farrer.*) And the County Council have also power to provide mortuaries in connexion with coroners?—There is some provision, that is to say, places for *post-mortem* and for coroners' courts.

464. And to arrange with the district boards or vestries for the provision of mortuaries?—That is to say, they may unite to provide with the consent of the County Council. The provisions of the Act are rather peculiar, some cases evidently requiring two authorities to join in providing one building.

465. (*Mr. Crawford.*) But the City has its own mortuary provided by the Commissioners of Sewers?—Quite so. I presume under some earlier Act, not under this Act; at all events they would have the power under this Act.

* Also Banstead, and Cane Hill, and a sixth in contemplation. *See* Dickinson, 1162.

† *See also* Dickinson, 1167–8.

‡ *But see also* Dickinson, 1164.

The witness withdrew.

Adjourned.

SECOND DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 23rd June 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

SIR THOMAS HENRY FARRER, Bart.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, *Secretary.*

Mr. J. F. ROTTON, Q.C., Legal Adviser to the Local Government Board, called in and further examined.

466. (*Chairman.*) Have you any corrections to make on anything that you said last week?—There are a few additions and corrections. There were one or two questions which I was not then able to answer which I am now able to answer. For instance, 130.

467. What is that *apropos* of?—It is in regard to the area and population of the Metropolitan Police District and the district of the County Council and the City. The total acreage of the county of London is 75,442, and the population 4,232,118. That is,

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according to the last census. The acreage of the City is 671, and the population 37,705.*

468. (*Mr. Crawford.*) That is the night population?—That is the census population.

469. Could you give us the day population, because there is such an enormous difference?—I have merely got the numbers from the Census, which, of course, merely gives you the night population—the resident population.

470. That is very deceptive?—Yes, certainly. All the county, exclusive of the City, has an acreage of 74,771, and a population of 4,194,413. The Metropolitan Police District, exclusive of the metropolis outside the City, has an acreage of 367,979, and a population of 1,401,688. The entire metropolitan district, that is to say, inclusive of the county of London without the City ——*

471. The Metropolitan Police District?—The Metropolitan Police District. The area is 442,750 acres, and the population 5,596,101.*

472. (*Chairman.*) We asked, I remember, whether the police courts were coterminous with the police district?—I think I answered that.

473. You said you did not think they were?—No; certainly they are not. The district for the police courts is not the same as the Metropolitan Police District.

474. Have you anything else to add?—There was a question—number 159—asked by Sir Thomas Farrer as to whether the limit of the police rate had been removed for the purpose of police superannuation. That is so. That is right, as to the rate for the Metropolitan Police.

475. (*Sir Thomas Farrer.*) So that the rate can be raised to any amount that is necessary, in order to give the pensions authorised by the Act?—Quite so. Then there was a question (255) as to whether, when the County Council of London declared a sewer, which has been constructed by a vestry or district board, to be a main sewer, there was any provision in the Act as to their paying any part of the debt which still remains due arising out of the construction of the sewer. I do not find that there is any such provision.

476. They take the future expenses, but not the past expenses?—They take the future expenses, but not the past expenses. At 313 there was a question as to whether there had been any appeals to the Local Government Board with regard to main roads in the county of London, and with regard to whether they should be main roads, or what amount should be paid by the County Council for the expense of maintenance. I find there has been an appeal on the second question with regard to St. John's, Hampstead. That is the only one that I can find.

477. (*Chairman.*) Well now, with respect to Street Improvements, what authority is there in the City?—The authority in the City is the Commissioners of Sewers under Michael Angelo Taylor's Act principally.

478. What are they able to do?—They can set back buildings newly built, or rebuilt, and require the removal of projections into the street, and they have also under Michael Angelo Taylor's Act general powers of improving and regulating streets, and of acquiring land for that purpose.

479. "Newly built or rebuilt"—do you mean by "newly built," built for the first time?—That is what is meant. Section 153 of the City of London Sewers Act, 1848, says:—"And be it enacted, that "if any building which shall in any part thereof "project beyond the regular line of the street in "which the same may be situate, or beyond the "front of the building wall, or railing on either "side thereof, shall at any time be taken down to be "rebuilt or altered, it shall be lawful for the Com-"missioners to require the same to be set backwards "to such a line and in such a manner as the Com-"missioners shall direct for the improvement of such "street, the Commissioners making full compensation "to the owner of such building for any damage "which he may sustain thereby."

480. That refers entirely to rebuilding?—That applies to rebuilding. I do not know that there is anything under this Act. There might be under Michael Angelo Taylor's Act. I presume it is under that Act that the other power arose.

481. Your memorandum says under that Act?—I am not quite sure that that is correct.

482. (*Mr. Smith.*) I think a new building is defined by general statute. I think there is a general statute giving a definition of a new building under the Public Health Act?—Yes, the Public Health Act. I believe there is such a definition in the Metropolitan Building Acts.

483. (*Chairman.*) That would not apply to the City?—Yes, the Metropolitan Building Acts apply to the City.

484. They give the Commissioners of Sewers this power?—No, the powers under the Metropolitan Building Acts are in the County Council.

485. There are over-lapping powers in the City?—In regard to the regulation of new buildings.

486. You are not able to refer us apparently to the powers of the Commissioners of Sewers with respect to new buildings?—No, I cannot; that may be wrong.

487. Have they any power to look after the widening of the streets?—Yes, they have powers under Michael Angelo Taylor's Act, under section 80. And then there are further provisions enabling incapacitated persons to sell, and also to empanel a jury where the owner objects to sell, and upon the verdict of the jury, and upon payment of the compensation awarded, to enter into possession of the land.

488. (*Sir Thomas Farrer.*) There is power to take by compulsion as well as by agreement?—Power to take by compulsion as well as by agreement.

489. (*Mr. Crawford.*) And section 153 of the Act of 1848 really extends that power with regard to compelling the setting back? Under section 153 of the Sewers Act of 1848 there is an extension of these powers?—Yes.

490. (*Chairman.*) Now the London City Improvement Act of 1847 affect this question?—The London City Improvement Act of 1847 was an Act which was passed to enable the City to effect the great improvements in Cannon Street. It gave them powers of compulsory purchase,—it gave them borrowing powers, and that Act became the model for subsequent Acts in the City in regard to street improvements. It was a private Act, and related simply to that particular improvement, scheduling the premises that had to be taken, but it became,—it was called—the model Act, and it has determined the form of a good many since.

491. A case arose under it which has been a governing case?—Yes. "Galloway *v.* Mayor and Commonalty of London," which has been a governing case. That was a case with regard to their power to take land which was not required immediately for the purpose of the improvement, but which, in fact, had been contracted to be sold.

492. Were the powers of that Act given to the Corporation?—The powers of that Act were given to the Common Council, the Mayor, Aldermen, and Commonalty, not to the Commissioners of Sewers.

493. But was it worked by the Commissioners of Sewers?—No, that Act was not worked through the Commissioners of Sewers, and generally I think the great street improvements which have been made in the City have not been done through the Commissioners of Sewers, but by the Common Council.

494. Well, there have been co-ordinate powers in the City occasionally with respect to street improvements possessed by both the Common Council and the Commissioners of Sewers?—No doubt some of the improvements which have been made by the Common Council might, to a certain extent, have been made under the general Acts, but I suppose they were very much larger improvements than could be made under

* *See also* Dickinson, 1173.

the City of London Sewers Act, or under Michael Angelo Taylor's Act, and they gave compulsory powers for taking land — larger powers than the general Acts gave, and at the same time provided for borrowing powers.

495. You know the Commissioners of Sewers have powers to divert roads, to make new roads in substitution for others?—I think the terms that I read from Michael Angelo Taylor's Act gave them that power.

496. Does the exercise of that power require confirmation by any authority?—No, it does not under Michael Angelo Taylor's Act require any confirmation at all.

497. Not by justices in quarter sessions?—I believe not.

498. (*Mr. Crawford.*) That is only when you are going to stop up a passage or right of way; then you do require the assent of quarter sessions?—Under the general law.

499. (*Chairman.*) But that would be done by the Commissioners of Sewers—the initial step would be taken by them, and confirmed by justices in quarter sessions?—Yes.

500. (*Sir Thomas Farrer.*) That is a power that extends to all vestries, does it not—the power under Michael Angelo Taylor's Act?—It does apply now to the vestries and district boards, but the Act was originally intended to give power to the Commissioners and other bodies that had control over the streets.

501. Yes, other bodies, but that did include vestries, did it not?—Well, I do not know whether it extended to them; I really cannot say who were the road authorities before the Metropolis Management Act.

502. (*Mr. Smith.*) But now the road authorities are the vestries and the district boards? — Now the authorities are the vestries and the district boards.

503. There is a similar power given by the old Highways Act, is there not—to the highway authority? —Yes, and that requires the consent of the justices.

504. It is a common power all over the country to highway authorities?—Quite so.

505. (*Sir Thomas Farrer.*) But in this case under Michael Angelo Taylor's Act the consent of the justices is not required?—Well, they have power to make new streets; whether they have power to shut up old streets without the consent of the justices I could not say. I understood Mr. Crawford to say they had not that power. To close a public highway they require to go to the justices and get an order.*

506. (*Mr. Crawford.*) If they are seeking to close a passage or right of way, then they must get an order from the justices?—Yes.

507. (*Sir Thomas Farrer.*) But they may make new streets and enlarge old streets without going to anyone else?—Quite so.

508. (*Chairman.*) Then, going outside the City, what authority has the County Council with respect to these matters? — The County Council has powers under section 144 of the Metropolis Local Management Act:—"The Metropolitan Board of "Works shall have power to make, widen, or "improve any streets, roads, or ways, for facilitating "the passage and traffic between different parts of "the Metropolis, or to contribute and join with any "persons in any such improvements as aforesaid, and "to take by agreement or by gift, any land, rights in "land, or property, for the purposes aforesaid (or "otherwise) for the improvement of the metropolis, "on such terms and conditions as they may think "fit, and such board, where it appears to them that "further powers are required for the purpose of any "work for the improvement of the metropolis or "public benefit of the inhabitants thereof may make "application to Parliament for that purpose, and the "expenses of such application may be defrayed as "other expenses of the said board. Provided always, "that before the Metropolitan Board of Works commences any such works the estimated expense "whereof shall exceed fifty thousand pounds, the "plan of such works, together with an estimate of "the cost of carrying the same into execution, shall "be submitted by such board to the Commissioners of "Her Majesty's Works and Public Buildings, and no "such plan shall be carried into effect until the same "has been approved by such Commissioners; and no "such work shall be commenced in cases where the "estimated expense thereof shall exceed the sum of "one hundred thousand pounds, without the previous "sanction of Parliament."*

509. (*Sir Thomas Farrer.*) They did not act under that power; they always got private Acts, did they not, for their great street improvements?—I do not think that under the Metropolis Management Act they had any power of taking land compulsorily except for the purpose of sewage and sewerage disposal. They had not power to take land compulsorily for street improvements, except so far as the vestries and district boards might have certain powers under Michael Angelo Taylor's Act, but I am not sure whether the Metropolitan Board of Works, and now the County Council, is an authority under Michael Angelo Taylor's Act; I am not sure that they are.†

510. I asked the question because I think I remember on one occasion an improvement could be made by the vestry under their powers, which the County Council could not make?—Yes, quite so.

511. (*Chairman.*) Well, the vestries and district boards have concurrent powers with the County Council with respect to some of these things?—Yes, they have concurrent powers under the Metropolis Management Act, but with the consent of the Metropolitan Board of Works, that is to say, of the County Council.

512. Even though the County Council may not be contributory?—Even though the County Council may not be contributory. I cannot find the section now giving the power to vestries and district boards under the Metropolis Management Act, but I know they have the power, with the consent of the County Council.‡

513. But that is not a compulsory power given to the vestries and district boards?—That is not a compulsory power.

514. The County Council, however, you think have a compulsory power possibly under the Local Government Act?—No, the County Council have no compulsory power more than the vestries have under the Metropolis Management Act.

515. I said under the Local Government Act?—Under the Local Government Act the County Council have a general power of purchasing land for any of their purposes, and, I presume, that that power might now be used for the purposes of their powers as successors of the Metropolitan Board of Works. Section 65:—"A county council may, from time to "time, for the purpose of any of their powers and "duties, including those which are to be executed "through the standing joint committee, acquire, "purchase, or take on lease, or exchange any lands "or any easements or rights over or in land, whether "situate within or without the county, and may "acquire, hire, erect, and furnish such halls, buildings, "and offices as they may from time to time require, "whether within or without their county. (2.) For "the purpose of the purchase, taking on lease, or "exchange of such lands, sections one hundred and "seventy-six, one hundred and seventy-seven, and "one hundred and seventy-eight of the Public "Health Act, 1875, shall apply as if they were "herein re-enacted, and in terms made applicable to "the county council."§

516. (*Mr. Crawford.*) Those purposes are restricted, are they not, very considerably restricted by

* *See also* Dickinson, 1182.

† They have no power under the Act. *See* Dickinson, 1198.

‡ *See* section 72 of the Metropolis Management Act, 1862.

§ *See also* Dickinson, 1201.

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section 30 of the Act?—We will come to that in one minute. For the purpose of the purchase, the sections of the Public Health Act, which enable them to obtain compulsory powers under a Provisional Order, are to apply.

517. I draw your attention to section 30 simply for this purpose, you read out the words under section 65 "A county council may from time to time, for the "purpose of any of their powers and duties, including "those which are to be executed through the standing "joint committee, &c.," then you have to look at what are their powers and duties, and under section 30, I think you get them pretty well defined, do you not?—Section 30 merely determines the powers of the standing joint committee.

518. You draw a distinction between the two, you say section 65 includes something more than the ordinary powers referred to under section 30?—What I meant was this: I think that section 65 in the case of the London County Council would apply to the land required for the purpose of their powers and duties, as successors to the Metropolitan Board of Works, not merely the powers and duties which they possess in common with other county councils under this Act.

519. (*Chairman.*) That is a point which has never been determined?—That is a point which has never been determined, but I think that those powers and duties are powers and duties of the County Council.

520. (*Sir Thomas Farrer.*) Do you think, for instance, that if the County Council require land for, say a station for the fire brigade, they have power to take it compulsorily?—I should think so. "A "county council may, for the purpose of any of their "powers and duties," well, one of the powers which the London County Council has, is to provide a fire brigade station.

521. I asked the question, because, at present, there is a proposal which, I think, is now in the hands of the Parliamentary Committee to ask for special powers to take land for the purpose of a fire brigade station, because the Fire Brigade Committee have been unable to get some land which they wanted to take compulsorily?—Yes.

522. And in the Council, that resolution, as it was first proposed by the Fire Brigade Committee, was altered so as to enable them to take land compulsorily for any purposes whatever?—I see.

523. I do not know that that has been brought before Parliament yet?—Is that in their General Powers Bill of 1893?

524. I cannot say?—I rather think that it is so, and that there is a clause in the General Powers Bill of this year with regard to taking land compulsorily, and I confess, when I was reading this, I did not see the necessity of the clause, because this seems to me to cover it.

525. (*Chairman.*) That section comes before the application of the general machinery of the Act to the Metropolitan Board of Works, does it not?—No, this is section 65; the sections which specially provide for the case of the county of London are sections 40, 41, and 42.

526. And the powers of Michael Angelo Taylor's Act apply to vestries and district boards?—Apply to vestries and district boards.

527. As successors to the authorities which were empowered originally under that Act?—It was specially provided by a section of the Metropolis Management Act of 1862, section 73:—"The powers "of improving and regulating streets, and for the "suppression of nuisances contained in the Act of "the fifty-seventh year of the reign of His Majesty "King George the Third, chapter twenty-nine, local "and personal, intituled 'An Act for better paving, "'improving, and regulating the Streets of the "'Metropolis, and removing and preventing Nui-"'sances and Obstructions therein,' shall, so far as "the same is in force, and is not inconsistent with "the provisions of the recited Acts and this Act, "extend and apply to the metropolis, as defined in "the firstly-recited Act and in this Act, including "any unpaved streets, and notwithstanding any "exceptions therein contained."

528. (*Mr. Crawford.*) You referred just now to what is called the model Act, the City of London Improvement Act; the difference between proceeding under that Act and under the Sewers Acts is principally this, is it not, that the cost of improvements under the City of London Improvement Act comes out of the Corporation funds, whereas under the Sewers Acts it would come out of rates?—Yes, quite so.

529. (*Chairman.*) The next subject is the bridges. What are the authorities in respect to the bridges over the Thames?—The City is the authority with regard to London Bridge, and Blackfriars, Southwark, and the new Tower Bridges. The other bridges are now under the County Council, that is to say, the other public bridges.

530. Southwark Bridge was originally the property of a company, was it not?—It belonged originally to a company, and it was purchased and freed of tolls by the City.

531. Blackfriars Bridge, what is the history of that?—Blackfriars Bridge was built by the City, I believe, originally—the present bridge.

532. (*Sir Thomas Farrer.*) The old bridge was built by the City, was it not?—I think the old bridge was built by the City.

533. (*Chairman.*) Was it ever a toll bridge?—No, I do not think it was ever a toll bridge; I believe it was never a toll bridge.

534. And the Corporation has considerable estates devoted to the purposes of these bridges?—The Corporation has considerable estates; that is to say, the Corporation is trustee of very considerable estates; they are kept separate from the other funds of the Corporation. The Bridge House estates were originally the estates given and acquired for the maintenance of London Bridge, and have since that been used also as the security for moneys required for the other bridges which the Corporation provide and maintain.

535. We shall probably get it from the City; but do you know how those estates were originally obtained? Were they annexed, as it were, to the bridges; were they adjacent to the ends of the bridges?—Many of these estates are very ancient. I have brought down a book here, which is perhaps not an authority, but a book which contains a great deal of information, "The Chronicles of London Bridge," and it appears that in the 10th of Edward I. there were Letters Patent from the King authorising the mayor and commonalty of the City to take possession of certain waste places in the City, and to build on them and rent them for the support of the bridge. Then there were at different times considerable bequests to the mayor and commonalty of tenements in the City and elsewhere for the support of the bridge. Here is one mentioned in 1436:—"A tenement with a shop "and garden in the parish of St. Augustine Pappey "—that is to say, in St. Mary-at-Axe—between the "tenement and lands of the bridge of the City of "London on the east, &c. To have to the mayor and "commonalty of London, *ad usum et sustentationem* "*operis pontis prædicti in perpetuum*—for the use "and support of the work of the aforesaid bridge for "ever." Another in 1442, and a great many others. And I presume that at the same time, when the funds for the Bridge House estates were not all required for the purpose, they were accumulated by purchase of properties to be devoted to the same uses.

536. And Southwark Bridge has been purchased, in fact, out of those estates?—Southwark Bridge was purchased out of those estates. Those estates were the security for the money raised for the construction of London Bridge, and for the repayment to the Crown of the moneys advanced; and for moneys borrowed under the Tower Bridge Act, in the same way, the money is to be borrowed on the credit of the Bridge House estates, and of the estates

and revenues of the Corporation, subject to previous charges. All the surplus rents and profits of the Bridge House estates are to be applied, first, in the maintenance of London, Blackfriars, and Southwark Bridges; secondly, in payment of interest on prior charges on the Bridge House estates; thirdly, in payment of expenses in maintaining, &c. the Tower Bridge and approaches; fourthly, in payment of interest on money borrowed under that Act; fifthly, in payment of subsisting (prior) charges on Bridge House estates; sixthly, in discharge of principal money borrowed under that Act. So that generally you may say that for the purposes of the bridge works of the City, the Bridge House estates form the property upon which they are in the first place charged.

537. The endowment, in fact, of the bridges of the City?—Yes.

538. You do not know whether the endowment is sufficient to meet the charges or no, I suppose? Is there any supplementary fund?—Here is the account of the Bridge House estates. This will show how much they are. There seems to be a balance in hand after paying off considerable loans.

539. (*Mr. Crawford.*) Which account are you referring to there?—I was looking at No. 14.

540. For which year?—This is 1891.

541. It may mislead you, because of course we have had to pay heavy compensation in connexion with the Tower Bridge which is now being built. I am afraid there will not be such a favourable balance in the later accounts; therefore that is apt to mislead you?—Yes.

542. (*Chairman.*) That would be a capital expenditure?—Yes.

543. (*Mr. Crawford.*) Certainly all the information in connexion with that will be supplied?—Yes.

544. (*Chairman.*) Now in the county of Lonon outside this City, are the bridges maintained by the County Council?—The bridges are maintained by the County Council.

545. Some of them have been bought, and some of them have been made by the County Council or their predecessors?—Yes, and Westminster Bridge was transferred from the Office of Works—Her Majesty's Office of Works.

546. Westminster Bridge was, in fact, an imperial creation?—Yes.

547. With an imperial endowment to some extent?—Yes. But it was transferred by an Act of 1887.

548. On a general rearrangement between the Crown and the County Council?—Quite so.

549. (*Sir Thomas Farrer.*) What is the highest bridge upon the Thames that belongs to the County Council, up the river?—I should suppose the highest that belongs to the County Council would be Hammersmith, would it not?

550. Kew?—No, I do not think Kew belongs to the Council. I am not quite sure.* There was a special arrangement by which Kew and one or two other bridges were freed from toll by the application of part of the coal dues.

551. The coal dues were continued for a year longer in order to provide a fund, or rather, the last year of the coal dues was mortgaged to secure a fund, for freeing Kew Bridge and some other bridges from toll, and that of course was partly done under the authority of the Metropolitan Board of Works; there was a sort of Joint Bridges Committee between the Metropolitan Board of Works, I think, and the county of Surrey, or the county of Middlesex.

552. (*Mr. Crawford.*) No, the Corporation. There was a joint committee called the Kew and other bridges joint committee, composed of members of the Metropolitan Board of Works and members of the Corporation?—Oh, members of the Corporation.

553. (*Sir Thomas Farrer.*) And that continued under the Council for some time?—That continued under the Council for some time.

554. (*Mr. Crawford.*) Until the Coal Duties Abolition Act put an end to the coal dues with the exception of 4*d.* for one year, which was continued in order to enable the Corporation to in part discharge the Holborn Valley improvement debt?—Yes.

555. (*Chairman.*) In whom is Kew Bridge now vested?—I suppose Kew Bridge would belong half to the county of Middlesex and half to the county of Surrey. But I do not know. It has become a county bridge.

556. (*Sir Thomas Farrer.*) Hammersmith Bridge is certainly a council bridge?—Yes; Hammersmith Bridge is certainly a council bridge.

557. Is there a bridge at Barnes?—No, there is no bridge at Barnes. It is only a railway bridge. There is no bridge between Kew and Hammersmith, no public bridge.

558. (*Chairman.*) There is no special bridge account maintained by the County Council?—No, it is part of the general charge on the county fund.

559. (*Sir Thomas Farrer.*) There are other bridges, I think, belonging to the Council besides those over the Thames?—I suppose there would be some bridges which they would have as ancient county bridges. I think at Bow there are some bridges.

560. Some of which they share with the county of Essex, I think?—Yes, I think so.

561. (*Mr. Crawford.*) Simply so as to have it correct upon the notes, I think that I am right in saying that there were Kew, Kingston-on-Thames, Hampton Court, Walton-on-Thames, and Staines Bridges on the Thames, and also Chillingford and Tottenham Mills Bridges on the Lea; all of them practically freed under the powers of this Joint Committee, and with the aid of the coal dues?—Yes.

562. There is one question arising in connexion with the Bridge House Estates that I should like to ask you. I do not understand you to say that there is any special trust except in connexion with London Bridge other than that which may have come into existence by the voluntary act of the Corporation in promoting Bills for special bridges?—That is so; that the Bridge House estates were simply for the purposes of London Bridge.

563. Of London Bridge?—And that these purposes have been extended simply by the special Acts which the Corporation have promoted.

564. In every instance?—In every instance.

565. Promoted voluntarily by the Corporation?—I believe so.

566. Including the Tower Bridge?—Yes, I should suppose so.

567. So that the cost of the Tower Bridge comes out of the funds of the Bridge House estates, and in no way falls upon the ratepayers?—In no way falls upon the ratepayers. It would fall, suppose the Bridge House estates were insufficient, on the general estates and revenues of the Corporation.

568. That is to say, that all bondholders who lend their money under the provisions of that Act would have a secondary security upon the estates and revenues of the Corporation?—That is so, quite so—and not upon any rate at all.

569. (*Mr. Smith.*) Just one question. It arises upon the last question. I was curious to know how the money is raised; I know the security—is it raised by loans or is it raised by bonds; what is the form?—I believe it is a fact that the money is raised by bonds.

570. That would be by mortgage?—Mortgage. I think we shall come to that afterwards, as to the way in which the money was raised.

571. (*Chairman.*) You are not, of course, giving any opinion as to the possibility of an ultimate trust or want of trust on the part of the Bridge House estate in consequence of this action of the Corporation in including other bridges besides London bridge?—I of course could express no opinion upon that.

572. The question might suggest that it was a purely gratuitous action on their part, assuming upon those estates the duty of maintaining other bridges

* It does not—*see* Dickinson, 1203.

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when they might have had a balance disposable:—you can give no opinion?—I can express no opinion upon whether there would be any trust in the Bridge House estates, supposing they were not required for London Bridge purposes, and were not by these Acts charged for the purpose of other bridges.

573. (*Mr. Crawford.*) But the preamble in every one of these Acts recognises the trust as a trust really for London Bridge?—I should suppose they do.

574. In every Act you will find that the preamble recites the fact of its being a trust in respect of London Bridge?—Yes.

575. (*Chairman.*) With respect to gas, Mr. Rotton, that is the next subject?—Well, under the Acts in regard to gas, the Metropolitan Gas Act of 1860 and the City of London Gas Act of 1868. But then there were Acts promoted by the Gas Companies—the Commercial Gas Act of 1875, and the Gas Light and Coke Company's Act of 1876; and I presume that the two latter Acts take in pretty nearly the whole of the metropolis, those being the great companies which had absorbed all the smaller ones.

576. (*Sir Thomas Farrer.*) There are three companies, I think now—three great companies:* the Chartered Company on the north of the river; the South Metropolitan on the south of the river; and the Commercial, with a comparatively small district, on the north of the river?—Yes. Under those Acts there are gas referees appointed by the Board of Trade; there are gas examiners appointed by the Corporation in the City of London and by the County Council in the rest of London; and there is a chief examiner to whom differences can be referred appointed by the Board of Trade, and an auditor, also appointed by the Board of Trade.

577. (*Chairman.*) What are the functions first of all of the referees?—The referees have, I believe, to examine into the method of manufacture, ascertain as far as possible that the manufacture was conducted in such a way as to prevent there being sulphur or injurious constituents in the gas.

578. (*Sir Thomas Farrer.*) Is it not this—I am speaking now from memory—that the referees have the power of determining what quantity of impurity shall be allowed, and that the business of the examiners is to ascertain whether that quantity of impurity is exceeded or not?—Perhaps that was so.

579. (*Mr. Crawford.*) It is section 29 of the London Gas Act of 1868?—I have not got that here.

580. "The Board of Trade shall, as soon as may "be after the passing of this Act, appoint three "competent and impartial persons, one at least of "them having practical knowledge and experience in "the manufacture and supply of gas, who shall be "called the gas referees (and who are in this Act "referred to as the gas referees), and in case of a "vacancy happening among them by death, resig- "nation, or otherwise, shall appoint a competent "and impartial person to fill the vacancy, one at "least of the three being always qualified as afore- "said," and you will find that under the Act of 1876, sections 27 to 39, their duties have been somewhat altered.

581. (*Chairman.*) Will you tell us the distinction between the functions of the referees and the examiners?—The gas referees determine the method of testing to be used by the gas examiners with regard to the illuminating power and pressure and purity of the gas, and determine what amount of certain impurities shall be permitted. On the other hand, the gas examiners make daily examinations into the gas at the several testing houses as to its illuminating power, and as to its purity, and as to its pressure as well, I presume.

582. (*Sir Thomas Farrer.*) The ordinary gas examiners are appointed by the City and by the County Council?—And by the County Council.

583. And there is a head examiner?—One head examiner.

584. Appointed by the Board of Trade, to whom in case of difference between the company and the City or the Council, the difficulty may be submitted?—Yes.

585. (*Mr. Crawford.*) And his certificate is final?—Yes.

586. And you can proceed for penalties upon his certificate?—Yes.

587. (*The Secretary.*) May I ask how the gas referees are paid, and the chief examiner? Is it by the Board of Trade?—I do not remember whether they are paid by the companies or by the Board of Trade.

588. (*Sir Thomas Farrer.*) I think they are paid by the gas companies on the order of the Board of Trade. The Board of Trade fix what their salaries shall be?—Yes, I think that is so.

589. (*Chairman.*) The company which supplies gas in the City, also supplies a considerable portion outside the City?—I believe so.

590. How many gas examiners are there?—I really do not know how many gas examiners there are; there must be a considerable number, of course.

591. The Corporation appoints one or more, and the County Council?—Must appoint many.

592. (*Mr. Crawford.*) There are four in the City?—Four.

593. (*Chairman.*) The vestries and district boards, have they any share in the appointment of the examiners?—No, I think not; I do not think so.*

594. You say they may appoint or join in appointing?—That is incorrect.

595. I suppose the vestries and district boards have something to do with the street illumination?—The vestries, of course, would pay for the street illumination; they light the streets.

596. And they would look after the character of the street illumination?—Certainly.

597. Do they go straight to the gas company in case of defective street illumination?—I presume, if they found the gas was defective for the purpose of street illumination, they would go to the gas examiner, but of course they might object to the companies.

598. Might they go to the Board of Trade? Have you the Act of 1860 there?—The Act of 1860?

599. The Metropolis Gas Act of 1860, 23 and 24 Victoria, chapter 125.

600. (*Sir Thomas Farrer.*) They go to the Board of Trade, any of these bodies, if it is thought desirable to alter the mode of testing, or to alter the standards?—Yes, quite so.

601. (*Chairman.*) Yes, but have they the power of going there in respect of insufficiency of illumination?—Well, that I cannot say.

602. Have you got the Act?—Yes.

603. The Act of 1860?—Yes.

604. Section 7?—It is rather dangerous to go upon this Act; it has rather been altered by the gas companies' Acts since. This is on the question of complaint:—"If at any time complaints as to the quantity "or quality of the gas supplied by any company be "made to the said Secretary of State by memorial in "writing, from the Metropolitan Board of Works, or "any vestry or district board of works, signed by "their clerks respectively, or not less than 20 in- "habitant householders paying rates for and supplied "with gas by any such company, it shall be lawful "for the said Secretary, at any time within one month "after the receipt of such complaint, to appoint a "competent person as inspector to inquire into and "concerning the grounds of such complaint, and to "report to the said Secretary thereon." I think that is gone.

605. (*Mr. Crawford.*) It has all been superseded by the Act of 1868?—Yes, I think so.

606. (*Sir Thomas Farrer.*) You know the great controversy in old days was always about the charge for gas?—Yes.

* There are also four small companies. Putney and Wandsworth, Mitcham and Wimbledon, Crystal Palace District, and Brentford, as to which the vestries and district boards are local authorities. *See* Dickinson, 1206.

* *See also* Dickinson, 1213.

607. Can you explain how that is settled now?—Well, the Act of 1876 determined that—taking 3*s*. 9*d*. a thousand feet as the standard price.

608. That is in the case of the chartered company?—That is in the case of the Gas Light and Coke Company.

609. That is the chartered company?—Yes, taking 3*s*. 9*d*. as the standard price, and a dividend of 10 per cent.

610. The dividend having been up to 10 per cent. before?—Yes, "For every penny or part of a "penny charged in excess or in diminution of such "standard price, in any year the standard rate of "dividend, except as herein-after specially provided, "shall for such year be reduced or increased by five "shillings in the hundred pounds per annum."

611. A sliding scale?—Yes, a sliding scale.

612. And there is a similar provision with regard to the South Metropolitan Company only that the initial price is 3*s*. 6*d*. instead of 3*s*. 9*d*.?—Yes.

613. (*Chairman.*) And there are auction clauses in respect of the new capital?—In regard to new shares.

614. We now come to the question of the acquisition of land; what are the powers of the City in that respect?—The City apparently have unlimited powers of acquiring land—of course, I mean by agreement. In acquiring and disposing of land, they are not restricted by any of the limitations which the Municipal Corporations Act imposes upon other corporations in regard to such matters.

615. Were they never under any restriction—a statute of mortmain of any kind?—I think not.

616. They got a licence from the Crown, presumably, originally to deal with land indefinitely?—Yes, I think so.

617. They are not capable now of receiving devises of land?—I should suppose they are; I do not know.

618. Are they exempt from the Statute of Mortmain?—I should think they were always exempt from the Statute of Mortmain; I do not know; it is not a point upon which I can speak.

619. (*Mr. Crawford.*) I think you will find that the right or power of acquiring land originated in the Charter of Edward IV., and really was purchased by the Corporation of that day.

620. (*Chairman.*) It would appear that *de facto* the City, in order to make themselves safe, do apply for licences in mortmain?—Yes, quite so.

621. And with respect to devises—gifts—that is a totally different question?

622. (*Mr. Crawford.*) Totally different?—Yes, I should prefer not to answer that question; I cannot give you the information.

623. (*Chairman.*) And the Commissioners of Sewers?—They have the power of taking land under Michael Angelo Taylor's Act; I am not aware that they have any other power except under the special Acts, of course, of which there have been some, in regard to the Commissioners of Sewers, and many in regard to the Mayor, Aldermen, and Commonalty.

624. You do not know whether they hold any land?—I do not know whether the Commissioners of Sewers hold any land.

625. How is the transfer of their property effected when a new Commission is issued?—I think the Commissioners of Sewers are a Corporation.

626. (*Mr. Crawford.*) Yes, they are a Corporation?—And when a new Commission is issued the Corporation remains, although the individuals are changed.

627. (*Chairman.*) And the County Council, what power has it with respect to the acquisition of land?—Well, it has the powers which I have already referred to under section 65 of the Local Government Act of 1888, which is the clause giving county councils generally a power to acquire land; "to "acquire, purchase, take on lease, or exchange "any lands or easements or rights over any land for "the purpose of any of their powers and duties "including those which are to be executed by the "Standing Joint Committee."

628. They have a general power to get lands for any of their statutory purposes?—"Any of their powers and duties."

629. Which are all statutory?—Which are all statutory—well, I would not say which are all statutory, because the County Council, of course, has certain powers with regard to county bridges, which, perhaps are scarcely statutory, which may be said to be common law powers.

630. In general the purposes for which they obtain land, would be defined purposes by statute?—Would in general certainly be so.

631. They have no power to obtain land for any park or recreation ground, or any similar purpose except under statute?—Except under statute, general or special.

632. Then under the Metropolis Management Act of 1855, the County Council have certain powers as successors to the Metropolitan Board of Works?—They have so; they have power of obtaining land by agreement for the purposes of that Act, and they have power with the approval of the Secretary of State to obtain land required for sewerage or sewage disposal purposes.

633. (*Sir Thomas Farrer.*) Compulsorily?—The County Council as such under the Local Government Act, 1888, if they require to take land compulsorily would have to come for a Provisional Order.

634. (*Chairman.*) But for sewage disposal?—They take it compulsorily.

635. The consent of the Secretary of State is enough?—The consent of the Secretary of State is sufficient. The great works of sewerage which were done by the Metropolitan Board of Works were done under special Acts for the most part.* Whether they have in some cases supplemented them by this general power I do not know.

636. (*Sir Thomas Farrer.*) The sewers are generally under the streets?—The sewers, of course, are generally under the streets, but of course there was a long conduit down to the sewage works which required the taking of considerable land.

637. (*Chairman.*) Vestries and district boards, what are their powers?—They have power under Michael Angelo Taylor's Act of taking land for the purpose of the widening and improvement of streets compulsorily. They have not, I think, any other power of taking land compulsorily. They may take land by agreement for the purposes of the Metropolis Management Acts.

638. They have no power of laying out new streets?—I cannot find the section. [*See* section 72 of the Metropolis Management Act, 1862.]

639. The special Commissioners of Baths, Washhouses, and Public Libraries?—They have not any power in the metropolis of taking land otherwise than by agreement.

640. But by agreement they have unlimited power for the purposes for which they are constituted?—By agreement, I believe, they have unlimited power, limited of course as to their expenditure in the case of public libraries, and in both cases the consent of the vestry would be required to the expenditure.

641. (*Mr. Smith.*) These powers, whatever they are, are gathered together, I suppose, in the Public Health (London) Act 1891, to a great extent, are they not?—No, the Public Health (London) Act deals simply with sanitary matters, it does not deal at all with public improvements or with sewers. But I believe that, by reference, it gives power to acquire land for the purpose of that Act, that would be for the purpose of hospitals, mortuaries, and so on.

642. But you have to go back to the original Acts for this other purpose?—You have to go back to the original Acts for this other purpose.

643. I know it is not nearly so comprehensive as the Public Health Act of 1875?—No, the Public Health Act, 1875, was a public health Act and a public

* They were mostly carried out under the Act 18 & 19 Vict. c. 120. sec. 152, land being purchased under that Act. *See* Dickinson, 1215.

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improvement Act; this 1891 Act is simply as to nuisances, hospitals, byelaws, and so on.

644. (*Mr. Crawford.*) May I take it generally, Mr. Rotton, that the Commissioners of Sewers have far more extensive powers than the ordinary vestries or district boards?—They have all the additional powers which are given by the City of London Sewers Acts, 1848 and 1851. They have the same powers as the vestries under Michael Angelo Taylor's Act and under the Public Health (London) Act, 1891. They have the powers therefore of their own Acts in addition.

645. What I more particularly refer to is this, that whereas to a certain extent the vestries and district boards are controlled in some instances by the County Council, and in other instances by the Local Government Board, the Commissioners of Sewers are not so controlled in those matters?—They are not controlled, I think I may say, in any case by the County Council; they are controlled only by the Local Government Board in the case of a complaint of default under the Act of 1891.*

646. (*Chairman.*) Now as regards rates, what is the basis of rating?—Well, the basis of rating throughout the administrative county of London is the valuation made under the Valuation of Property (Metropolis) Act, 1869.

647. How often is that made?—That is a valuation made every five years, but subject to alteration in the meantime by supplementary lists and by provisional lists.

648. Who makes it?—Under the provisions of the Union Assessment Act, the overseers have to make the list; in the first place, it goes to the Assessment Committee, and is finally, in case of appeal, decided now by the quarter sessions, not by the special assessment sessions, but by the quarter sessions.

649. And do the overseers of the several parishes of the metropolis make out the first list?—They make the list in the first place. The provisions generally of the Union Assessment Acts apply to the first stages of the formation of this list.

650. Then it proceeds from the overseers of the several parishes to the Assessment Committee?—Yes.

651. How is that constituted in the metropolis?—I do not know exactly how it is constituted. It goes to the Assessment Committee of each union. There is an Assessment Committee appointed by each union in the first place. I have not got the Act here.

652. Then if there is any question as to want of uniformity in the assessments of the several unions it would go to quarter sessions?—Yes.

653. The quarter sessions for the administrative county of London?—Yes.

654. (*Sir Thomas Farrer.*) There is no administrative body which has the control of the assessment, is there; it is done by appeal to quarter sessions?—It is done by appeal to quarter sessions.

655. There is no superior assessment committee of any kind?—No, but I will look over this matter again.†

656. (*Mr. Crawford.*) I think it was the Local Government Act that really created the new appellate body—the court of quarter sessions?—Quite so.

657. (*Sir Thomas Farrer.*) It did away with the special assessment sessions?—The special assessment sessions, and provided that quarter sessions should be the body, and provided at the same time for quarter sessions being reinforced by some justices appointed by the City.

658. (*Mr. Crawford.*) In City appeals there should always be two aldermen privileged to attend?—Quite so. "The quarter sessions for the county of "London shall be substituted for the general "assessment sessions under the Valuation (Metro-"polis) Act, 1869, and have all the jurisdiction "vested in those sessions, and shall exercise the same "within the same area. Upon the hearing of any "appeals in relation to property in the City of "London, such two members of the court of quarter "sessions of the City of London as may be appointed "by that court for the purpose, shall be entitled to "attend and sit as members of the quarter sessions "for the county of London."

659. (*Chairman.*) What are the rates levied within the City?—The rates levied within the City are, in the first place, the rates levied by the Commissioners of Sewers under the Act of 1848, the sewers rate and the consolidated rate.

660. How do they proceed to levy them?—They are made on the direction of the Commissioners of Sewers by the alderman or his deputy, and the major part of the common councilmen of each ward.

661. Is there a meeting of the representatives of the ward?—There is; I presume it is a wardmote.

662. A wardmote to carry out the direction of the Commissioners of Sewers?—No, it would not be a wardmote; it is the major part of the common councilmen of the ward, not a wardmote.

663. But they meet for that purpose?—They meet for that purpose.

664. Is there any action, anything more than ministerial?—Well, no, it cannot be very much more than ministerial; of course, they are determined as to the amount of the rate by the direction of the Commissioners of Sewers, and they are determined as to the valuation upon which it is to be assessed by the valuation list.

665. (*Mr. Smith.*) Not determined by the amount of the rate, except parochially; it is a precept, is it not?—I do not know; I do not think that the terms of the Sewers Act say whether there shall be a precept giving the amount which they are to pay in, or whether it is a precept as to the amount of rate which they are to raise, and I do not know, in fact, which of the two it is.

666. (*Chairman.*) It would be simpler to say the amount of the rate to be raised, rather than leave each ward to work that out as an arithmetical question?—Yes, no doubt, but there might possibly be certain small ward expenses which they might themselves have to provide for.

667. (*Mr. Smith.*) There is always the expense of levying the rate, for collection, and so on, which the central body would hardly be able to ascertain?—Certainly, but I do not know which form of precept is adopted.

668. (*Chairman.*) Then the rate, however got at, the rate so levied is levied upon every person?—Who shall inhabit, hold, occupy, or possess or enjoy any land or building, within the ward, of course it would be, or within the City generally. The owners pay half-rate for empty houses; there are provisions in regard to rating owners when the houses are under 25*l.* in value, or are let in lodgings to weekly or monthly tenants, or the rent is payable at shorter intervals than quarterly, and churches and public buildings and vacant spaces are rated at so much a yard, not more than 3*d.* per square yard.

669. And who pays the rate in that case?—The owner pays the rate.

670. What do you mean by the owner of a church?—I suppose the owner of the church is the vicar, the person who has the freehold.

671. Not of the chancel, if he is only a vicar?—No, not of the chancel, that is unless he is rector.

672–3. Is that peculiar to the City, the rating of churches?—I believe it is peculiar to the City; I am not aware of any other instance.

674. "And other public buildings." What would be the definition of a public building in that regard?—I suppose it meant, in fact, to take in everything

* *See also* Blake, 1732–46.

† Under the Union Assessment Acts assessment committees were appointed only in unions, not for separate parishes. As there are many such parishes in the metropolis, in applying these Acts to the metropolis provision had to be made for the appointment of assessment committees by the guardians where they had power under any local Act to make or assess the rates, and elsewhere by the vestry.

that was not taken in as "an occupied house or land."

675. (*Mr. Crawford.*) Section 262 is the definition clause? "The word 'building' shall extend to and "comprise houses, warehouses, manufactories, and all "buildings of what nature or kind soever, and every "part thereof"?—That is the definition, yes, quite so.

676. (*Chairman.*) That does not define what a public building is?

677. (*Mr. Crawford.*) Section 187 is one which deals with the rating of churches and public buildings? "And, forasmuch as it is reasonable that all churches, "chapels, churchyards, burial grounds, meeting "houses, prisons, hospitals for sick persons, and "public buildings, and all vacant spaces of ground, "should be rated in a due proportion to the rates "hereby authorized to be made, be it enacted, that "it shall be lawful for the Alderman or his deputy "and the major part of the Common Councilmen of "each ward, and they are hereby required at such "time as the rates herein-before directed to be made "by them shall from time to time be made, to rate "all parish and other churches, chapels, churchyards, "burial grounds, meeting houses, prisons, hospitals "for sick persons, and public buildings whatsoever, "and all vacant spaces of ground, situate, lying, "and being within the City (other than and except "the Cathedral Church of St. Paul, and the "churchyards and ground within the iron rails en-"compassing the said Cathedral Church) at such "rate as the Commissioners shall order and direct for "every square yard of such public buildings and vacant "spaces of ground, not exceeding the rate of nine-"pence per square yard towards the sewer rate, and "three-pence per square yard towards the consoli-"dated rate"?—That was altered so as to bring them all to 3*d.*

678. Altered under the Act of 1851?—Yes, "and "every such rate so to be from time to time made "upon any parish or other church, chapel, churchyard, "burial ground, meeting house, prison, hospital, or "public building as aforesaid, or upon any vacant space "of ground, shall be paid by the owner thereof, and "in case of a parish church or church-yard or burial "ground, by the overseers of such parish, out of the "rates incidental to the poor; and in case the owner "of any such vacant space of ground shall not be "known or cannot be found, then the said rate to be "thereon made shall be advanced by the Chamberlain "out of the cash of the said city in his hands, and "the said ground shall be and remain a security to "the said Chamberlain and his successors for repay-"ment of all rates so to be by him advanced; Provided "always, that meeting houses not licensed, and "meeting houses used for any other purpose than "divine worship, shall be rated and assessed in the "same manner as other public buildings."

679. The chamberlain being the treasurer?—The chamberlain being the treasurer.

680. (*Chairman.*) Other public buildings?—As other public buildings; that means to say that meeting houses not licensed or used for other purposes shall not escape the rate by reason of not being licensed or being so used.

681. Public buildings appear to embrace places of religious worship and hospitals for the sick?—And prisons.

682. And prisons and things of that kind?—Yes.

683. It would not extend to a parish hall and things of that sort?

684. (*Mr. Crawford.*) Unless you could call a parish hall a meeting house.

685. (*Chairman.*) That is peculiar to the City?—That, I think, is peculiar to the City; I do not remember any other instances of churches being rated, of course prisons would usually come under the exception of the Crown, but hospitals and such places are generally rated.

686. (*Mr. Smith.*) There is no exception in favour of the property of the Commissioners, is there, as there is in many of the Public Health Acts?—I do not think there is any exception in favour of the property of the Commissioners, I do not remember it.

687. (*Chairman.*) With respect to the rating of the churches it appears to be taken out of one pocket and put into the other?—Well it is taking it out of the pocket of the overseers, out of the poor rate, and handing it to the Commissioners of Sewers; it is a different body that pays it.

688. To the ultimate actual ratepayer it comes to the same thing, whether it is paid or not?—Yes.

689. (*Mr. Smith.*) No, is it not in the nature of a church rate? A man is a Particular Baptist, and his overseer pays for the support of the Established Church; it is not the same thing to him as if the rate was paid by the owner for the time being.

690. (*Chairman.*) I mean if there was no such rate, suppose there was no rate on a church, a church was exempt?

691. (*Mr. Crawford.*) The rate would be higher.

692. (*Chairman.*) But it would not make any difference, suppose a church was half the value of the property of the parish, and a rate of 6*d.* in the £ was sufficient, and you took the church out altogether and it was 1*s.* in the £ it would come to the same thing?—The only case in which it would not be the same thing would be supposing the district which paid the rate was not coterminous with the district to which the rate was paid, and that might be in many cases the fact, because these rates are made in wards irrespective of parishes and the poor rate would be levied on the parish.

693. (*Sir Thomas Farrer.*) Can you tell me, is there a separate collector, and separate books kept, for each ward?—I do not know.

694. (*Mr. Crawford.*) They are all appointed by the Commissioners under section 25 of the Act?—Then they would not necessarily be separate.

695. (*Sir Thomas Farrer.*) Is it a reality, this going through the wards, or is the business really done by the Commissioners of Sewers?—That is a practical question which I really could not answer.

696. (*Chairman.*) Now the police rate in the City?—The police rate is levied on the direction of the Common Council, also in the wards, and the method of its levying is apparently much the same as in the case of the rates levied on the direction of the Commissioners of Sewers.

697. You mean there is the same rating of unoccupied houses?—I believe that the provisions are the same.

698. And churches and what not?—Yes.

699. That extends to three-fourths of the cost?—That extends to three-fourths of the cost of the police.

700. There is also a limitation as to the amount of the rate?—That rate is limited to 8*d.* and I do not see that that limit has been removed, because the Act which removes that limit for the purposes of superannuation in the case of the metropolitan police does not extend to the City.

701. Then the City is obliged to keep down its police expenditure to the amount that could be raised by rate, or to a proportion of the amount that could be raised by rate?—Well, I do not know, the limit of the rate is 8*d.*

702. That is three-fourths of the expenditure?—That is three-fourths of the expenditure. Well the City has to pay one-fourth of the expenditure; they may levy a rate of 8*d.*, and not more, to pay for the three-fourths. I do not know that there is anything to prevent the City keeping up the police, or paying police superannuation and so on, and paying for it out of their revenues in addition to the one-fourth which they are bound to pay.

703. (*Sir Thomas Farrer.*) Do you know if they raise the whole 8*d.*?—I do not know.

704. (*Mr. Crawford.*) No, they do not. You will find there is a difference with regard to the question of public buildings, a slight difference under the City Police Act, section 70; there the limit is 4*d.* per square

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yard instead of 3*d.* under the Sewers Act?—4*d.* quite so.

705. (*Chairman.*) Then outside the City; what are the rates levied there?—Outside the City, in the first place, there are the rate levied by the County Council which is the county rate.

706. That is levied through—— ?—Through the overseers.*

707. The County Council prescribes the amount of the rate?—The County Council prescribes the amount of the rate.

708. And the overseers collect it for the County Council?—Yes, the overseers pay it; it is paid out of the poor rate; it is not levied separately; it is paid out of the poor rate.

709. Then those levies are for general or for special purposes?—They are. The payments generally of the costs incurred by the County Council as successors of the Metropolitan Board of Works, are to be a general county purpose, but where the Metropolitan Board of Works or the Quarter Sessions were authorised to incur expenses to which the Common Council of the City were not liable to contribute, then the parishes of City are not to contribute. There are provisions also which have been mentioned before in regard to the expenses under the Housing of the Working Classes Act; some of those by that Act are made special county purposes.

710. (*Sir Thomas Farrer.*) Are the overseers for this purpose officers of the vestries or of the district boards where there are district boards?—Oh no, they are not officers of the district boards. It is scarcely possible to make a general statement in regard to the overseers, because so many of the London parishes have local Acts, which in some cases, practically hand over a large part of the duties of the overseers to the vestry.

711. Quite so, that is what I wanted to get at?—Yes, but those were old Acts before the Metropolis Management Act. Their powers under those Acts of course have gone over to the vestries under the Metropolis Management Act for the most part, except with regard to church rates and a few other matters.

712. Practically the County Council deal with the vestries?—Practically they do so in a very large number of cases, no doubt because the vestries really in many cases act as overseers.†

713. You have not mentioned the school board rate as a general rate, that is also levied by precept in the same way, is it not?—It is not in the case of the City. I suppose it is so generally, it is levied no doubt by the vestries in general, the overseers practically.†

714. In the same way as the County rate?—Yes, I believe so, but in the City I think it is paid by the Commissioners of Sewers.†

715. (*Mr. Crawford.*) The school board rate in the City is paid through the Commissioners of Sewers?—Yes the school board rate.†

716. (*Chairman.*) That is not paid as the County rate is?—I do not know how it is raised by the Commissioners of Sewers, I think it is raised by their consolidated rate.*

717. I mean outside the City the school board rate is not collected as part of the poor rate?—It is collected as part of the poor rate.†

718. (*Mr. Crawford.*) In the City it is collected with the consolidated rate.

719. (*Chairman.*) Collected simultaneously, but as a separate rate outside the City?—The vestry in most parishes would send you in one application for the rate. On the back of it is stated the different purposes for which it is required, it would include the sewers rate, the sewers and lighting and general rates for the vestry themselves, and it would include the poor rate, it would include the school board rate and it would include the County rate; but it would be different in different parishes.*†

720. (*Sir Thomas Farrer.*) And the police rate?—And the police rate.

721. Those are specified separately upon the demand papers, are they not?—Those are specified separately upon the demand papers. I do not think that they are obliged to state the amount of the county rate. They do in fact state the amount of the county rate, but I do not think they are obliged to state it. That would be included in the rate for the relief of the poor and the other purposes chargeable to the poor rate.

722. They are generally very glad to state it, are they not?—They are generally very glad to state it; they wish to show how much money they have themselves to deal with, and how much they have to pay over to others.

723. (*Chairman.*) The county rate and the other rate, for the purpose of baths and wash-houses and libraries, are in fact in the poor rate?—The phrases are a little different I think in the case of the baths and wash-houses. I do not think I have that here, but some of these are directed to be paid out of the poor rate, and some of them are directed to be levied as part of the poor rate, or by a rate to be collected with the poor rate.

724. (*Mr. Holt.*) Then, I gather, the rates may vary in all the parishes in the County Council district, they may be different in all the parishes, they need not be similar, neither the school board rate nor any other rate, they may vary may they not?—No, they cannot vary.*

725. It is the same rate that applies to all the parishes?—The amount of the rate would be the same on the valuation. You mean the amount or the mode of stating it.

726. I mean the amount of rate levied, the assessment might differ, might it not?—No.

727. Because in some vestries the amount required might be less than in others?—No, the school board rate would be the same everywhere.†

728. And the same rate is levied over the whole of the London school district?—The same rate is levied over the whole of the London school district.†

729. (*Sir Thomas Farrer.*) The local rate of each parish differs, but not general rates?—Yes, there was a question in regard to the libraries rate. The libraries rate in some cases, although it is levied with the poor rate, is levied with a different allowance, that is to say it is levied only on one-third of land used as market gardens and orchards and so on.

730. (*Chairman.*) The power of rating for public buildings and empty spaces outside the City, is that the same as inside the City?—I do not think there is any such power. It would entirely depend upon the valuation list. If a property is put into the valuation list as valuable, as of a certain value, that would be rated. There is no special provision in regard to the rating of public buildings outside the City for the purpose of the Metropolis Management or other Acts.

731. I was not aware of it, what is this reference to section 162. Under the heading sewers, lighting, and general rates of vestries and district boards you describe section 163, "Sewers rate to be assessed on "only ¼ value of land used as arable, pasture, &c., "and (section 164) existing exemptions as regards "sewers rate and lighting rate are to continue. On "the other hand (section 162) public buildings, walls, "and void spaces then rateable to any rate for paving "or for paving and other purposes are with certain "exceptions to be rated for the like purposes. The "expenses of a vestry or district board under the "Public Health (London) Act, 1891, are to be paid "out of the general rate." ?—That is in regard to the paving rates by the vestries and district boards, that is a special provision.

732. (*Mr. Smith.*) That is similar to the general district rate throughout the country, I suppose, that one that you last spoke of one-fourth exemption?

* But *see also* Dickinson, 1227-8.
† But *see also* Dickinson, 1243.

* But *see also* Dickinson, 1227-8.
† But *see also* Dickinson, 1243.

—Quite so, that only relates to the sewers rate by vestries, the same as the general district rate under the Public Health Act.

733. (*Chairman.*) We will proceed to the question of borrowing; what are the powers within the City?—Well, the City have an original power to raise money on the security of their estates, property, and revenues, but their present bonded debt is entirely, I believe, under special Acts, or under the Housing of the Working Classes Act, or for the purpose of lunatic asylums.

734. This is the Corporation debt?—This is the Corporation debt, but that really includes the debt of the Commissioners of Sewers. City bonds are charged on the same securities for the most part, I believe. I presume that the debt of the Commissioners of Sewers would also be charged on the rates, but I do not know as to that.

735. You do not mean that the Commissioners of Sewers have general powers of borrowing. The City has a general power of borrowing, but the Commissioners of Sewers have not the same?—The Commissioners of Sewers of course have only the statutory powers of borrowing.

736. (*Sir Thomas Farrer.*) Have the Corporation power to alienate their property without the consent of any other authority?—Yes, there is no consent required, they do not require the consent of the Treasury or the Local Government Board.

737. (*Mr. Crawford.*) I understand you to mean by that, of course, that the borrowing powers of the two bodies are perfectly distinct?—Yes, quite distinct.

738. Quite distinct?—I do not know whether the loans by the Commissioners of Sewers are secured on the revenues of the Corporation as well as on the rates leviable by the Commissioners of Sewers.

739. Obviously, you see the Commissioners of Sewers may not necessarily be members of the Corporation?—No.

740. And asCommissioners apart from the Corporation, although nominated by the Court of Common Council, they would have no power to charge the revenue of the Court of Common Council?—Unless they have statutory power, but I may take it that they have no power.

741. I am not aware of any statutory power, I should be surprised to find one?—Yes, the provision in regard to borrowing is 207 and 208 of the Act of 1848 in regard to the Commissioners of Sewers, enabling them to borrow on the security of the sewers rate, and on the security of the consolidated rate.

742. (*Chairman.*) The City, I suppose, has the same freedom of leasing or demising its property as of alienating it?—That is so.

743. Outside the City what powers of borrowing have the Metropolitan Board of Works or its successor?—The present borrowing powers of the County Council as successors of the Metropolitan Board of Works, and under the Local Government Act (which makes special provision with regard to the borrowing powers of the County Council of London), are determined by the Metropolitan Board of Works Act, 1869, and the subsequent Acts on the same subject. The provision in the Local Government Act in regard to the borrowing powers of the London County Council is that they shall borrow in the same way as under the Metropolis Management Act. Section 40, sub-section 9, says: "If the London "County Council borrow for the purposes of this Act "they shall borrow in accordance with the provisions "of the Acts relating to the Metropolitan Board of "Works, but save as aforesaid Part 4 of this Act "shall apply to the London County Council when "acting as successors of the Metropolitan Board of "Works, and the costs incurred when so acting shall "be paid out of the county fund, and the payment "thereof shall be a general county purpose."

744. That is under the Local Government Act?—That is the Local Government Act, section 40, sub-section 9.

745. What peculiar restrictions were imposed upon the Metropolitan Board of Works with respect to its borrowing?—The Act of 1869 provided that the Board should not, except for such temporary period not exceeding six months as the Treasury should sanction, raise money otherwise than in conformity with that Act, and with the sanction of the Treasury; it provided for the creation of Metropolitan Consolidated Stock subject to the approval of the Treasury as to the amount and manner of issue, as to price and time of issue, the conditions of issue and the dividends to be paid, and the times and conditions of redemption. It also provided that certain moneys, such as the produce of the sale of surplus lands and other funds, were to be paid to a Consolidated Loan Fund, and that the Treasury were to determine what other sum should be annually paid into that fund in order to pay dividends on Consolidated Stock, and to provide for its redemption within 60 years. That Act limited the amount to be raised to 10,000,000*l.*

746. You say that that Act enabled the board to create terminable annuities instead of stock?—It enabled them also to create terminable annuities instead of stock.

747. Do you know whether that has ever been done?—I do not know.

748. (*Sir Thomas Farrer.*) I think not?—I am not aware that it has. It also enabled the Metropolitan Board of Works to raise money to lend to the Metropolitan Asylums Board. By the Act of 1871 their powers of borrowing for the purpose of lending were increased; and trustees were enabled to invest in metropolitan consolidated stock unless forbidden to do so.

749. They were enabled, were they not, to lend what they accumulate as a sinking fund, and do not use for the purchase of stock, to other authorities in the metropolis?—That came later, in 1881.

750. But that, at any rate, is the present practice, is it not?—That is the present practice. In 1885 they were further empowered to spend their sinking fund on objects of capital expenditure, *i.e.*, to lend it to themselves.

751. So that the London County Council is the great borrower for the whole metropolis?—That is so.

752. (*Chairman.*) It borrows for vestries, district boards, and the school board?—Yes.

753. (*Sir Thomas Farrer.*) And the asylums board?—Yes.

754. (*Chairman.*) Then we come to the Act of 1875?—The Act of 1869 commenced that. It enabled them to lend to the Metropolitan Asylums Board. Then the Act of 1871 enabled them to lend to vestries and district boards in addition to the Metropolitan Asylums Board.

755. The Act of 1870 provided for school boards, I think?—And increased the amount which they could lend to the Metropolitan Asylums Board. I do not see any references in this to the school board. Then the Act of 1875 is the next important one. This is the recital:—"Whereas it is expedient that the raising of "money by the Metropolitan Board of Works for the "following purposes: (*a*) Expenditure by them for "general improvements and contributions; (*b*) Fire "brigade purposes; (*c*) Loans to vestries and district "boards and boards of guardians and some other bodies "be regulated, and that provision be made requiring "that the borrowing powers granted to the Board by "Parliament should for the future be limited both in "time and in amount, and that in some other respects "powers and provisions of and relating to the Board "be extended or modified: Be it therefore enacted," &c.

"2. The Board may from time to time up to the "31st day of December, one thousand eight hundred "and seventy-six, expend under section one hundred "and forty-four of the Metropolis Management Act, "1855, and section seventy-two of the Metropolis "Management Amendment Act, 1862, such money "as they think fit, as follows:—

Then follow sections stating the purposes for which money may be expended, and the amounts, and each

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section provides that "The Board, in order to raise "money for purposes of this section, may from time "to time create Consolidated Stock."

It further provides that "The Board shall, from time "to time, carry to the Consolidated Loans Fund such "sums as the Treasury approve as being, in their "opinion, sufficient to redeem, within thirty years "from the date of the creation of stock for purposes "of this section, an amount of consolidated stock "equal to that so created." It then gave power to lend to vestries and district boards, and limited the aggregate amount to be lent under that section to 100,000*l.*, and so on; and in the case of each such power it authorised the Board to create consolidated stock for raising that amount of money.

756. It went through the wants of the year, authorising the raising of the money necessary to meet those wants, and the creation of stock for that purpose?—That was it.

757. (*Sir Thomas Farrer.*) With a provision that all those debts so incurred were to be paid off within the time within which the stock borrowed by the Metropolitan Board of Works was to be paid off?—That is in regard to——

758. Loans to other bodies?—Yes, money lent by the Board. For instance, if we take the Board of Guardians:—"Money lent by the Board under this "section shall, notwithstanding anything in any other "Act, be repaid to them, with interest, within such "time after the borrowing as the Board and the "borrowers, with the approval of the Treasury, "agree, not exceeding thirty years. The Board "shall from time to time carry to the Consolidated "Loan Fund such sums as the Treasury approve "as being, in their opinion, sufficient to redeem, "within the period for which the loan is made, not "exceeding thirty years from the date of the creation "of stock for purposes of this section, an amount of "consolidated stock equal to that so created." Acts followed in the same tenour up to 1892.

759. (*Chairman.*) Did not that Act lay down some provisions as to subsequent Acts?—The Act of 1875, yes, it did so. Section 12:—"Where the Board are "desirous of obtaining a further Act empowering "them to raise money, they shall cause the Bill for "the same, as proposed to be submitted to Parliament, to be accompanied with tables, giving such "information as the Treasury require for the purpose "of enabling a comparison to be made between the "rateable value of the metropolis and the liabilities "of the Board." And it also required annual returns to the Treasury, showing:—

"I. All money raised by the Board under this or "any further Act for purposes mentioned in this "Act;

"II. In relation to every parish, district, union, "or place in respect whereof a loan is obtained from "the Board under this Act or any further Act;

"(1.) The annual rateable value of the property "therein;

"(2.) As nearly as may be, the actual indebtedness "of each parish, district, union, or place in "respect of loans previously contracted.

"The Treasury shall cause every such return to "be laid before both Houses of Parliament."

760. It made the Treasury the financial guardian of the Board?—It made the Treasury the financial guardian of the Board, determining the conditions of issue of the stock, and the sufficiency of the provision to be made for the redemption of the stock.

761. And the form in which new proposals should be introduced?—And the form in which these proposals should be introduced.

762. (*Sir Thomas Farrer.*) And is it not the case that these Acts always contained the period for which each loan was to be made; did they not state it?—They stated in regard to each sum the borrowing of which was authorised, that provision was to be made for the repayment of an equivalent amount of consolidated stock within so many years.*

763. Quite so, depending on the thing?—On the thing and the purpose, none being in excess of 60 years.

764. And all the loans having to be repaid within the period for which the metropolitan stock out of which they were paid was to last?—That is to say, the loans to other bodies; yes. The Act of 1877 also authorised the Board to issue metropolitan bills, which they could afterwards redeem by the creation of consolidated stock.

765. (*Chairman.*) That was a temporary method of raising money?—That was a temporary method of raising money.

766. (*Sir Thomas Farrer.*) Have they ever exercised that, do you know?—I do not know, but I think they have.*

767. They borrow from their bankers now?—Yes.

768. (*Chairman.*) It was meant to give the Metropolitan Board of Works similar power to that which the Treasury possesses of raising money upon three months and six months bills?—Quite so.

769. That procedure was followed for many years?—That procedure was followed regularly, year after year, for many years. An alteration to a certain extent was made in 1892. The Standing Orders in that year provided that "All Bills promoted by the "London County Council, containing powers to "raise money, shall be introduced as public Bills; but "after being read a second time by the House, shall "be referred to a Select Committee to be nominated "by the Committee of Selection, in like manner as "private Bills. But this order shall not apply to a "Bill promoted by the London County Council for "the borrowing of money, which complies with the "following conditions:—If it authorises the borrowing and expenditure for the purposes mentioned in "the Bill of the sums shown by the estimates recited "in the preamble to be required for each such purpose, that purpose being the execution of a power "conferred or extended either by the Bill, or by some "public, local, or personal Act: Provided that the "Bill may authorise the borrowing and expenditure "for any purpose for which estimates are not recited "in the preamble, if it fixes a maximum aggregate "sum to be so borrowed, and requires every such "borrowing to be sanctioned by the Local Government Board. If it is so framed as not to authorise "the borrowing and expenditure of any money after "the financial period, that is to say, the period ending "on the 30th day of September next, after the expiration of the then current financial year of the "Council. If it is so framed as to provide for the "money borrowed being repaid, whether by the "creation of a sinking fund, or the redemption of "stock, or otherwise, within the period fixed by the "Bill, or if the borrowing is sanctioned by the Local "Government Board, fixed by that Board, and the "Committee or Board in fixing the period for the "repayment of money borrowed for any work shall "not fix any period which is in their opinion disproportionate to the duration of such work, and shall "in no case fix a period exceeding that prescribed "by any public Act relating thereto, or if no "period is so prescribed, exceeding sixty years; "if in the case of any Bill conferring or extending "any power involving the expenditure of money "after the financial period, the recited estimates "show the total amount of money, required for the "execution of the power, as well as the particular "amount to be borrowed and expended during the "financial period." In such cases the Bill is to be introduced and dealt with throughout as a private Bill, but is privileged as regards the dates of notices.

770. (*Chairman.*) It is a privilege to introduce a Bill as a public Bill, and that Standing Order prescribes the conditions under which that privilege, or the privilege you have spoken of as regards the dates of notices, can be enjoyed?—Quite so.

771. (*Sir Thomas Farrer.*) The Treasury no longer introduces it as a public Bill, as they did

* *See also* Dickinson, 1245.

* They have not. *See* Dickinson, 1267.

previously?—The Treasury no longer introduces it as a public Bill, which they did.

772. And do you know, can you tell us what the control of the Treasury is still over these Money Bills; they do exercise some control?—Oh, the control of the Treasury is just about the same as it was. This, for instance, is the Money Bill of this year, and this is practically in the same form:—"Whereas estimates "have been prepared by the various Committees of "the Council of the Expenditure on Capital Account "which will or may be required in the execution of "the powers and duties respectively delegated to "them for the financial year ending the thirty-first "day of March, one thousand eight hundred and "ninety-four, and also for the following six months, "ending the thirtieth day of September, one thousand "eight hundred and ninety-four (which periods "collectively are herein-after referred to as 'the "financial period'), and all those estimates have "been considered and approved by the Finance "Committee of the Council in accordance with the "provisions of the Local Government Act, 1888, and "the estimates as so approved have been adopted "by the Council: And whereas the various purposes "for which money is required to be expended on "capital account during the financial period, and the "sums estimated to be required in respect of each "such purpose are set out in the Schedule to this "Act (Part I.), and such sums amount in the aggre-"gate to three million seven hundred and eighty-"three thousand five hundred and fifty-four pounds: "And whereas the Council are promoting a Bill in "Parliament in the present Session, under the title "of the London County Council (General Powers) "Bill, by which powers are sought (*inter alia*) to "provide an electric lighting installation for the "Victoria Embankment and certain bridges, and it "is estimated that it will or may be necessary to "expend on capital account in the execution of the "powers to be conferred by the said Bill (if the same "be passed into an Act during the present Session) "during the financial period a sum of fifteen thousand "pounds: And whereas the Council are promoting a "Bill in Parliament in the present Session under the "title of the London Improvements Bill by which "powers are sought to make sundry improvements "therein described, and referred in Part II. of the "Schedule to this Act, and it is estimated that it will "or may be necessary to expend on capital account "in the execution of the powers to be conferred by "the said Bill (if the same be passed into an Act "during the present Session) during the financial "period a sum of one hundred and thirty-four "thousand four hundred pounds," and so on. As to the different sums which are required for the different purposes, the Bill provides that the Council may, during the financial year and the following six months respectively, expend on capital account such sums as they may think fit, not exceeding the amounts therein-after mentioned in relation to such purposes for the said periods, giving the amounts which are to be expended during the financial year and the following six months for the purpose of providing station-houses and sites, buildings, hydrants, and permanent plant, and all the other things, open spaces, and so on.

773. (*Sir Thomas Farrer.*) Where does the control of the Treasury come in there?—All those are specifically stated. Then there are the powers of lending to district boards, boards of guardians, asylum board, and school board. "In order to raise the money for "the several purposes for which the Council are by "this Act authorised to expend or lend money, the "Council may from time to time create consolidated "stock and the following provisions shall have "effect:—Where the Council under the authority "of this Act create consolidated stock to raise money "to enable them to make a loan repayable within a "period not exceeding thirty years from the date of "such loan the Council shall from time to time carry "to the Consolidated Loans Fund such sums as the "Treasury approve as being in their opinion sufficient "to redeem within the period of thirty years from "the date of the creation of such stock or within any "less period for which any such loan may be made, "an amount of consolidated stock equal to that so "created; money borrowed from and lent by the "Council under the provision of this Act may be "made repayable either in one sum or by instalments "or by a series of equal annual or other instalments "to include both principal and interest or otherwise "as may be agreed between the Council and the "borrowers. Where the Council are by this Act "authorised to make a loan the Council instead of "raising money for any such loan by the creation of "consolidated stock may use for any such loan any "money for the time being forming part of the "Consolidated Loans Fund and not required for the "payment of the dividends on consolidated stock. "Provided that no such money shall be used for any "loan repayable at a date later than the date at "which the consolidated stock redeemable by means "of the money so used is required to be redeemed." That is the provision about which you spoke.

774. That is the provision that I referred to, but what I wanted to refer to was about that provision with respect to the Treasury. Supposing the Council wanted to apply a part of their borrowed money to, we will say, the building of a new fire brigade station, or to any other purpose; have the Treasury the control of the period within which that money is to be repaid, that is to say, of the amount of the sinking fund, and the length of the time during which the debt may be outstanding?—I thought that was determined by the Act itself.

775. That is just the point I want to get at, whether the control is in Parliament or whether it is in the Treasury?—Section 5, which gives them the different sums which they are to borrow for different purposes, has this following proviso:—"Provided also that any "monies expended upon the authority of this Act for "the purposes of 'The London County Council' "(General Powers) Bill, 1893 (if it becomes law) "shall be repayable within such term not exceeding "in any case 60 years, as the Council with the consent "of the Treasury may determine."

776. So that the Council have still to go to the Treasury in order to determine the length of the loan?—Quite so. This is the first print of the Bill, and it may have been altered since.

777. (*Mr. Smith.*) In the same way as ordinary municipalities have to obtain the consent of the Local Government Board?—Quite so.

778. (*Chairman.*) And does the London County Council send an annual statement of its sinking fund to the Treasury just as an ordinary municipality does to the Local Government Board?—I presume the provisions of the Act of 1875, I think it was, still continue, but I am not quite sure as to that. When this Bill is brought in of course they have to give a table stating their total indebtedness and their assets. This is the table, for instance, which was for the Bill of 1893.

779. Who signs it?—This is signed by the assistant comptroller of the County Council, Mr. Doggett. Table I., money raised and applied since 1856 and nett indebtedness of the Council on 31st of March 1893, and the nett liabilities; the second table, unexhausted borrowing powers on 31st of March 1893; table 3, sums authorised by the Treasury to be expended up to the 31st March 1893 for the purposes for which the amounts provided by the previous Act were found to be insufficient; fourth, rating of the County of London up to 1889, and by the County Council since that year, rating of the County of London to 31st of March 1894 in respect of debt; table 6, redemption of debt since the passing of the Loan Act of 1869. A full statement of their financial condition is submitted at the same time that the Bill is introduced.

780. Now with respect to the metropolitan vestries and district boards, their powers of borrowing have been explained to some extent with relation to the

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County Council?—Yes, they have power of borrowing under section 183 of the Metropolis Management Act. They borrow on mortgage of the rates with the consent of the London County Council (formerly the Metropolitan Board of Works).

781. And do they have several debts, or is it the County Council that borrows the money and they are indebted to the County Council?—They can have separate debts, but in fact now, I believe, they almost entirely borrow from the London County Council. Of course at the time that this Act was passed, and after this Act, for a long time they had separate debts.

782. But a metropolitan vestry or district board never now goes into the market to borrow?—I should think not; I could not state that as an absolute rule, but I should think not.*

783. (*Mr. Crawford.*) They have the power, but they find it cheaper to go to the London County Council?—There is no provision requiring that all these sums which the County Council are authorised to lend should be borrowed from them.

784. (*Chairman.*) It is more economical?—It is simply more economical.

785. (*Sir Thomas Farrer.*) The Council have the power to lend and the vestries to borrow from the Council?—Of course, it is a trustee security.

786. (*Chairman.*) And so the borrowing powers of the Commissioners of Baths and Washhouses and Library authorities?—They have power to borrow with consent. The Commissioners of Baths and Washhouses require for borrowing the consent of the vestry and the Library authorities, the consent of the vestry or district board, (supposing it is a library authority for a district, and) in both cases they require the consent of the Local Government Board. The provisions in the case of the public libraries are rather peculiar; they are the provisions of the Public Health Act, 1875, which in no other respect apply to the Metropolis.

787. (*The Secretary.*) Would you mind saying something about the borrowing powers of burial boards?—Burial boards, if I remember right, may borrow with the consent of the Treasury still; I think that is so.

788. (*Mr. Smith.*) From the review you have given us of the government of London, it would seem that the present government of London outside the City is based upon county government rather than upon municipal government; in other words, there is really no municipal government in London in a general way?—I do not quite understand those terms.

789. Municipal functions, such as are discharged by municipal corporations throughout the country towns, do not exist in London?—Well, I should have said that all the things which a municipality does, for instance, in Birmingham, are done in London, but they are done by a variety of bodies, so that you cannot say that any one of those bodies is the municipality. Part of the sanitary duties which are done in Birmingham by the municipality, the sewerage and such matters, are done in London by the County Council—the main sewerage; other parts of those very functions in regard to the sewers are done by the district boards, the general duties of sanitary administration are done by the district boards, and the district boards also do the highways.

790. Yes, I follow all that?—On the other hand, the municipal functions in regard to the police are not in the hands of either. Then, of course, in London gas and water are at present provided not by any one of the municipal authorities but by private companies. Then you have, of course, even the authorities of the City doing work for the rest of London to a very large extent with reference to markets, and with reference to the Conservancy of the Thames.

791. (*Mr. Crawford.*) Not the Conservancy of the Thames?—Not the Conservancy; that is a separate body.

792. But with regard to the port sanitary duties?—With regard to the port sanitary duties in the Thames, the Conservators of the Thames are a different body.

793. (*Sir Thomas Farrer.*) Then, within the City itself there is the division between the City proper and the Commissioners of Sewers?—That is so, and there are certain powers, of course, of the County Council within the City, and certain powers of the Metropolitan Police within the City, with regard to registration of hackney carriages, so that I think we may say certainly that there is not one body can be called the municipality, but that all the things which a municipality does get done somehow.

794. As in the case of a county with its different sanitary authorities, within a county all the work is done somehow, but no one body is responsible for it.

795. (*Mr. Smith.*) I only wanted to elicit from you an opinion that the present government of London was more county government than municipal government, but your answer is that the municipal government is done, as you say, somehow?—Yes, and to take it in this way: surely the condition of a municipality, as compared with the condition of a place outside a municipality, is that there is very much greater concentration of powers in the hands of one authority. You compare a municipality, for instance, with the rural district which is outside it. You have there in the municipality practically the whole of the sanitary duties, the control of the police, and the control of the roads in the hands of one authority, whereas in the district just outside it, you have one authority—a sanitary authority; if it is a rural sanitary authority it has not the roads; they are in the hands of another authority; you have the police under a different authority.

796. You have the charming illustration of one authority owning the sewer under the road and another owning the surface?—Yes, quite so; and, no doubt, as regards the dispersion of powers, the part of London outside the City is more like the rural districts than it is the municipal district.

797. (*Mr. Crawford.*) There is only one matter I wanted to clear up, Mr. Rotton. Did I understand you to exhaust the borrowing and rating powers of the Commissioners of Sewers? I think you only made reference to their borrowing powers under the Sewers Act. Am I not correct in saying that they have very large powers under the Elementary Education Act and the Housing of the Poor Act?—Yes, they have very large powers under the Housing of the Poor Act, but I did not know that they had under the Elementary Education Act. I do not remember that.

798. In this way, that you see under the Sewers Act their rate is limited?—Yes.

799. But to obviate the difficulty under the Elementary Education Act they are at liberty to increase the rate?—I see. Then, of course, they have large borrowing powers under the Housing of the Working Classes Act. And they very probably may have some powers under special Acts. I could not say as to that.

800. I only want to get it from you that you do not say that you have exhausted all information in regard to that?—No, certainly not.

801. Then will you tell me generally what is the difference between the borrowing powers of the London County Council and the ordinary borrowing powers of a county council under the Local Government Act?—The ordinary powers of a county council under the Local Government Act are powers given by the Local Government Act, that is to say, a power to borrow for any of the purposes of their duties, with the consent of the Local Government Board, charged on the county rate, whereas, as has been explained, the London County Council has each year practically to get a statutory authority for power to issue metropolitan consolidated stock on terms which the Treasury determine.

* They sometimes go into the market to borrow. *See* Dickinson, 1268.

802. The powers are more restricted then?—Are very much more restricted. The powers of ordinary county councils are very wide.

803. (*Sir Thomas Farrer.*) More restricted in detail, but much more extensive in application?—In one particular, of course, the powers of the London County Council are much wider. Under their annual Acts they have power to lend to a good many other bodies, whereas the county councils have no power to lend to any other bodies except in one particular—for the purpose of emigration. The section giving borrowing powers to county councils generally is the 69th: "The county council may from time "to time, with the consent of the Local Government "Board, borrow on the security of the county fund, "and of any revenues of the council, or on either "such fund or revenues, or any part of the revenues, "such sums as may be required for the following "purposes, or any of them, that is to say, for "consolidating the debts of the county, and for "purchasing any land or building, any building "which the council are authorised by any Act to "purchase or build, and for any permanent work or "other thing which the county council are autho-"rised to execute or do, and the cost of which ought, "in the opinion of the Local Government Board, to "be spread over a term of years, and for making "advances (which they are hereby authorised to "make) to any persons or bodies of persons, corporate "or unincorporate, in aid of the emigration or "colonisation of inhabitants of the county, with a "guarantee for repayment of such advances from any "local authority in the county, or the Government of "any colony, and for any purpose for which quarter "sessions or the county council are authorised by "any act to borrow."

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804. But naturally in the towns there are a good many more purposes arising from the concentration of inhabitants for which common funds are needed, than there are in the county?—A very great many more; in fact, with the exception of providing police stations and providing lunatic asylums, there are but few things for which a county council has to borrow. Those are the two main things. Debts in respect of lunatic asylums are by far the largest part of the debts of county councils, I should think.

805. (*Mr. Crawford.*) With regard to the question of lunatic asylums, the City being a county of itself has a power, has it not, to levy a county rate for that purpose?—I suppose so. I believe they are a local authority under the Lunacy Acts.

806. They do not exercise the powers, as a matter of fact, because they provide an asylum out of their own funds?—Yes.

807. The same with the police courts?—Yes.

The witness withdrew.

Adjourned.

THIRD DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 7th July 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, *Secretary.*

MR. CHARLES HARRISON, Vice-Chairman of the London County Council; and Mr. WILLOUGHBY HYETT DICKINSON, Deputy Chairman of the London County Council, called in and examined.

Mr. C. Harrison and Mr. W. H. Dickinson.

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808. (*Chairman.*) Perhaps you had better begin by telling us who you are?—(*Mr. Harrison*) I am the Vice-Chairman of the London County Council.

809. And have you any relation to the special committee appointed with respect to our work?—I am chairman of the special committee which has been appointed to represent the Council before this Commission. I have also been chairman from the formation of the Council of the Parliamentary Committee. I am a member of the Finance Committee, of the Local Government and Taxation Committee, and as Vice-Chairman, I am of course *ex-officio* member of every committee; and to other committees than those mentioned I give my attention.

810. And you?—(*Mr. Dickinson.*) My name is Willoughby Hyett Dickinson, and I am the Deputy Chairman of the London County Council.

811. You are both members of the special committee appointed by the Council in relation to this Commission?—(*Mr. Harrison.*) We are.

812. What authority has that committee, can you tell us? Can you tell us what the number of the committee is?—It consists of the Chairman of the Council, the Vice-Chairman, the Deputy Chairman; Mr. Costelloe, the chairman of the Local Government and Taxation Committee of the Council; Mr. Sidney Webb, the Vice-Chairman of that committee; Mr. McKinnon Wood, the Vice-Chairman of the Parliamentary Committee; and Mr J Williams Benn, M.P., chairman of the General Purposes Committee of the Council.

813. This committee, we assume, has the authority to represent the Council before us?—Absolutely—we have formal resolutions to that effect as regards all matters before the Commission.

814. (*Mr. Crawford.*) Without any confirmation by the Council?—Without any confirmation by the Council. The Committee, of course, reports, like all other committees, to the Council, just as with the Special Water Committee.

815. But you have authority to pledge the Council through this special committee?—Certainly.

816. (*Chairman.*) That is to say, you have the authority to express the mind of the Council?—To express the mind of the Council.

817. Scarcely to pledge them to future action?—No, of course a corporation must speak through some voice. We are authorised to represent the Council before this Commission in the same way that the Parliamentary Committee represents the Council in parliamentary matters before a House of Commons Committee.

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818. (*Mr. Smith.*) With full delegation of powers?—With full delegation of powers.

The following is a copy of the reference to our committee.

The recommendations which the Council adopted were:—

"(*a.*) That a Special Committee be formed to watch the Council's interests and conduct the Council's case before the Royal Commission appointed to consider the conditions under which an amalgamation of the city and county of London can be effected.

"(*b.*) That the Chairman of the General Purposes Committee, the Chairman and Vice-Chairman of the Local Government Committee, and the Vice-Chairman of the Parliamentary Committee, together with the Chairman, Vice-Chairman, and Deputy Chairman of the Council, be appointed members of this committee.

"(*c.*) That all matters relating to or connected with and arising out of the Royal Commission, be referred to and dealt with by such Special Committee; with power to represent the Council before the Commission, and to employ counsel and witnesses as such committee may be advised.

"(*d.*) That, if necessary, the Council be represented by counsel before the Royal Commission."

818*a*. (*Mr. Crawford.*) It is a general delegation?—It is a general delegation to present you with all the information we can on behalf of the Council.

819. (*Lord Farrer.*) You would, I suppose, if there was a point of difficulty, feel yourselves justified in reserving it, and taking the opinion of the Council upon it?—Certainly; that is what I meant by saying that this Special Committee reports to the Council as all other committees do, and in making these reports the report would wind up with some recommendation "that the course adopted is approved" or otherwise; and it was quite understood that the committee—which was to be an open committee to the whole of the Council, as far as the attendance is concerned—should report from time to time

820. Any member of the Council can attend your meetings?—And they do attend.

821. (*Mr. Smith.*) Is that the case with your ordinary committees of the Council?—Yes.

822. (*Chairman.*) Do they take any part beyond attendance? Do they assist in your deliberations?—At times, and it is perfectly open to them to speak. They are not entitled technically to vote if there is a division; but what is done is done in general consultation.

823. (*Lord Farrer.*) It very often happens that a member who attends has some special knowledge of or some special interest in that subject, and then the Committee are always willing to hear him. It amounts to that, does it not?—Certainly.

824. Without the leave of the Committee, of course, they never vote; but they may speak with the leave of the Committee?—(*Mr. Harrison.*) Oh, yes.

825. (*Mr. Smith.*) They attend as *amici curiæ*—Yes; we know pretty well what their knowledge is on certain points. Of course, at present, very little has arisen, because the statements that we have been engaged upon have been confined to our duties and powers, and we are all, with the officers of the Council, perfectly familiar with those.

826. (*Chairman.*) You have put in two papers?—Yes, sir. The first, No. 1, is a return showing the powers and expenses which run throughout the administrative County of London, and those which do not extend to the City.

827. And the second?—The second, No. 2, is the present powers and duties of the London County Council.

828. You have received from us copies of the evidence given by Mr. Rotton, of the Local Government Board?—Yes, we have only yesterday received more than one copy. We have not had time yet to consider it in detail.

829. After consideration, you will be able to represent to us if there is anything that you think requires correction or supplementing in Mr. Rotton's evidence?—Certainly.

830. At present you are naturally not prepared?—We are not prepared at this moment to formulate it. There are all the materials for anybody who has a knowledge of these two papers to answer all those questions.

831. This first paper that you put in, the title refers to the administrative County of London?—Yes.

832. That includes the City of London?—That includes the City of London, where the City of London is subject to the administrative provisions of the County of London.

833. The Administrative County of London may be said to contain two counties, the County of London and the County of the City of London?—That is so.

834. There is such a thing as the County of London apart from the Administrative County of London?—Oh, yes.

835. What is the territorial distinction?—The territorial distinction is the City boundary and its liberties.

836. Then, would it not be true to say that, territorially, at all events, the Administrative County of London contains within it the County of London and the City of London, which I venture to call the County of the City?—Yes; if "City" is used in the geographical sense, yes.

837. (*Mr. Crawford.*) The County of London beyond that is what Mr. Harrison is thinking about. There is the Administrative County of London, and the County of London and the County of the City of London?—If you would refer to the second paper, No. 2, the preliminary observation expresses the position accurately, to the extent that in the City area there is the County of the City of London, which is totally exceptional. When the City area is reached it is not only subject to the Administrative County of London, but there also exists co-ordinately the County of the City of London. That is totally exceptional. It is County Government inside.

838. (*Mr. Smith.*) It is a county within a county?—It is a county within a county.

839. (*Chairman.*) To put it again shortly; is it not true that the Administrative County of London contains within it two counties, the one the City, and the other the County of London?—Yes, for non-administrative business.

840. And do you understand the object of this Commission, to be to endeavour to fuse those two counties into one, so that the Administrative County of London and the County of London should be coterminous?—Yes.

841. That is, that the County of London will absorb the county of the City of London?—We thought it would extend to the consideration also of the County of the City of London extending its area.

842. That is what I endeavoured to put to you?—Yes.

843. Do you understand the object of this Commission to be to make the County of London and the County of the City one county?—For all purposes.

844. Co-equal and coterminous with the administrative county?—Yes, for all purposes.

845. The City may still remain a district of that county just as any parish or district without the City?—Certainly.

846. And may have functions separately administered by some body having a name of its own, a district board, or a vestry, or whatever it may be, having functions of its own, but no county functions?—Yes, certainly.

847. That is the object of the Commission?—Yes.

848. (*Mr. Crawford.*) May I take the liberty of saying I do not quite admit that. With all due respect, Mr. Chairman, I thought the object of the Commission was to inquire how it was possible to bring about such

an effect; I am afraid it is putting it a little stronger than I would put it.

849. (*Chairman.*) Only that is what the witness understands is the thing that is aimed at by the County Council?—Yes.

850. And that is what the County Council desires?—Yes, and not the mere union of the two administrative bodies, but the union of the City for all purposes.

851. (*Mr. Crawford.*) Might it not be convenient, if Mr. Harrison tells us, as obviously is in his mind at the present moment, what is it that the County Council suggests should be done?—We have made no suggestion at present; we are not in a position to make any suggestion at the present moment. What I was dealing with was the Chairman's question as a matter of fact and of information. And there is not merely an administrative county running throughout the whole area, but there is in addition to that a county administration of the City of London which is limited to the area of the City, and does not extend outside that particular area.

852. (*Chairman.*) To put it in a different way: there are now exercised within the city a multiplicity of functions, some of which might be called county functions, and others district functions?—Yes.

853. Your statement No. 1 gives us an account of the functions of the County Council, which do not run into the City?—Yes, stated by way of comparison

854. You are able to enter upon that part of the subject?—Certainly.

855. Although you might not be able to enter upon the question of the functions of the City which do not now run into the county, but which you might desire to run into the county?—Certainly. Papers Nos. 1 and 2 have been very carefully prepared. If I may direct the attention of the Commission to statement No. 1, you will find not only what was the expenditure when the Act of 1888 had to a certain extent unified the City area, but the statement continues in Table No. 2 to show how the administrative business was dealt with by the Act of 1888, to what extent it transferred some of those powers, what balance of powers is now in county justices, and what is left in City justices as being the county of the City. This has been very carefully prepared, and has been verified by our legal advisers, and may be taken as being accurate. Then there is, at page 10, a note showing the way in which the administrative business of the justices has been dealt with in both areas by the Act of 1888, and you can see under the words "left untransferred," in column No. 4, what are the powers left still outstanding as regards the City. For instance, the "Contagious Diseases Foreign Animals." This subject raises a very essential point, because the Corporation is the local authority for the City area, and had the establishment of Deptford Market. Deptford Market results in a surplus income of 21,000*l.* per annum now, over and above the payment of the debt and interest and sinking fund; and the consumer of the metropolitan area outside the City has, of course, to pay that sum—a form of taxation in the form of dues upon meat. Then you will find also the expenditure in the metropolitan area in the City is dealt with in No. 5 return, and you will find there the expenditure which runs throughout the whole administrative county, including debt and the management of the stock, to all which the City contributes. You will find all the details at page 22. The administrative expenditure is 152,000*l.* a year. Then you will find in the next column—the outer column—the debt raised for works, all the different classes of works, to all of which the City contributes, and grants made to local authorities. Then there is a very useful table, if I may venture to say so, which commences at No. 7. It gives a detail of every power that is exercised under the present administrative Acts, and shows in the body of the returns which particular power is stopped at the City area, and in whom the correlative power is vested. For instance, by way of illustration, which is as fair as any of them, take No. 1, relating to the various powers under the Building Act, 1855, Except the duty as to dangerous structures, all the duties under this Act devolve on the County Council, but, as regards dangerous structures in the City, the power is vested in the Commissioners of Sewers.

856. (*Mr. Smith.*) That is not the case with district boards outside?—That is not the case with district boards, and the explanation and reason of it may be found in this—that the City formerly had its City government. It supplemented that government by three or more statutes of George. Those statutes related to all powers, including central powers. The City consolidated those powers under one Act in 1848, which was called under the title—almost a misnomer—City Commissioners of Sewers Act, 1848. The Act of 1848 embraces not merely an ordinary Commission of Sewers, but relates to general City government as well.

857. Not delegated to the Commissioners of Sewers?—Yes; and clauses from the previous Acts relating to City government are incorporated into those provisions of the Act of 1848. And the Act of 1848 was amended again in 1851 by a further Act, and those powers are now extant.

858. In point of fact, the City of London has done exactly the converse of what the large towns have done, they have usually absorbed Commissioners of Sewers; the City of London has delegated its powers to them?—Certainly; and the City Commissioners of Sewers are not simply Commissioners of Sewers, such as the seven Commissions were outside the City before 1848. There existed then seven commissions, and these were all rolled up into one Commission under the Commissioners of Sewers Act, 1848.

859. (*Lord Farrer.*) Within the City?—No, seven commissions outside. All those were converted from seven commissions into one; and in the same year the City consolidated their civic powers and the powers of the Commissioners of Sewers into one Act, so that in the year 1848 there were two Commissioners of Sewers in the metropolis, viz., the Metropolitan Commissioners of 1848 and the City Commissioners of Sewers of 1848. Then the City Act was amended in 1851, and then the Metropolis Management Act of 1855 abolished the Metropolitan Commissioners in the area outside the City and established the Board of Works with its powers, and other powers besides, but left the City Commission of Sewers extant; and it is alive and in practice to this day.

860. (*Mr. Crawford.*) That was the outcome of the Commission of 1854, was it not?—The Act of 1855 operated.

861. No; the Act passed was the outcome of the Commission of 1854, was it not?—I cannot tell you.

862. The Royal Commission of 1854?—I cannot tell you.

863. (*Mr. Smith.*) The Metropolitan Board and the Act of 1855 were both, I think, the result of the Royal Commission?—Yes.

864. (*Lord Farrer.*) Then that Act gave the main drainage within the jurisdiction of the City Commissioners of Sewers to the Metropolitan Board of Works?—Yes, in that way it modified to a certain extent their powers as regards main drainage only; but it left other central powers, which had come through the Statutes of George, still vested in the Commissioners of Sewers under the Act of 1848, of which the regulation of dangerous structures was only one.

865. (*Mr. Smith.*) It left them in the hands of the Commissioners of Sewers, notwithstanding there was in the City a municipal corporation?—A municipal corporation.

866. Well, not municipal by the general statute, but of a municipal kind?—Well, not municipal.

867. But a corporation; but the powers were left in the Commissioners of Sewers?—There is no doubt I have examined the matter carefully, and practically the civic government has drifted from the Corporation into statutory bodies in nearly all cases, but that has

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not touched the county government which is in the City; that is still extant.

868. In point of fact, they exercise judicial functions to a larger extent than municipal?—Much larger. For instance, lunacy is now carried on by the City justices as county justices; but that portion of business outside the City was transferred by the Act of 1888 from the county justices, as part of the administrative county business, and is now vested in the London County Council.

869. (*Mr. Crawford.*) Are you quite accurate there, Mr. Harrison?—Yes.

870. Do you mean to say that the Lunacy Act has not, in conjunction with the Local Government Act, constituted the visiting committee as appointed by the Common Council, and not the justices?—No; you will find—and I am speaking accurately on this—I think you will find that the Common Council do not rate for lunacy, but the justices do.

871. The Common Council have the power of rating for lunacy?—I think not.

872. I take the liberty of differing with you?—I think not. It is entering into a highly technical point, and it is not worth while.

873. Well, it is worth while, because the work of the asylum does not rest with the justices. That is all. I wanted to correct you there.

874. (*Lord Farrer.*) That is one of the points which we should clear up when we get the City statement?—Then the Commission will find—if may revert back from what has been rather a divergence—in statement No. 1, on pages 28, 29, the money expenditure of the two bodies. For instance, the cost of the central body to the metropolitan ratepayer to administer the provisions of the Building Act is 1,714*l.* In the City they administer the "dangerous structures" provisions and minor points of that description under the Building Act, and there is a profit of 16*l.* 14*s.* 5*d.* It is a minus mark. The receipts mean profit, that is to say, fees in the City result in a profit, so that whilst the metropolitan ratepayers pay 1,714*l.* for the administering of the Central Act, the City make a profit on the fees for administering the "dangerous structures" portion.*

875. (*Mr. Crawford.*) And the City would contribute their portion, I presume—$\frac{1}{8}$th I think, Mr. Harrison—if it comes out of the rates?—No, because the rate does not run into the City; it is stopped with regard to the "dangerous structures."

876. (*Lord Farrer.*) Are you accurate there, Mr. Harrison?—This is not a matter for which the London County Council can rate the City. (*Mr. Dickinson.*) That only shows the importance of considering these two statements. We have gone very carefully into that, as far as we can, because it is rather doubtful what powers are in the City and what are not; but in that statement, which is numbered II., there the actual position has been carefully noted. For instance, page 3 of Statement II., at the bottom of that note you will find three notes:—"(*a.*) These powers are exercised over the whole "Administrative County. (*b.*) These powers are not "exercised by the Council within the City, nor does "the City contribute. (*c.*) These powers are not "exercised by the Council within the City, but the "City does contribute."

877. There are certain cases where the City contributes?—Where the City contributes for the work not done in the City

878. Though there is no work done by the Council in the City still they have to contribute?—Yes, that is quite so. (*Mr. Dickinson.*) In the appendix to the general statement all the work is put under headings with the Act of Parliament under which the work is done. Take page 17, for instance, Building Act, there you see the first heading is "applicable to the whole metropolitan area." Then you will notice that there are certain things which are not carried out in the City, but only in the county outside the City, and these appear under the heading "not applicable to the City," and the work of every committee is treated in that way.

879. (*Mr. Smith.*) Taking the illustration of dangerous structures, I suppose the expenses are mainly for administration, the officers' salaries and so on, because you recover from the owner of property, do you not, the principal expenditure?—A portion, of course.

880. The City of London would not pay for the shoring up of the Athenæum Club, which I observed had been done pretty extensively.

881. (*Mr. Crawford.*) Except there was a loss; you do not always get through the magistrate all that you are entitled to?—(*Mr. Dickinson.*) On that point of dangerous structures you will see at page 18 of Statement II. "B. Not applicable to the City. To "enforce the law relating to dangerous structures "within the metropolis, exclusive of the City (Metropolitan Building Act, 1855, Part II., amended by "the Metropolitan Building Act, 1869). In the City "these duties and powers are imposed upon the "Commissioners of Sewers." And then we go on structures, dilapadated and neglected. "A. Applicable "to the whole metropolitan area. To proceed against "owners or occupiers of all buildings which have "become ruinous or so dilapidated as to be unfit for "use or occupation, or are, from neglect or otherwise, "in a structural condition prejudicial to the property "in or the inhabitants of the neighbourhood. Note—"It is to be observed that this power extending over "the City, the County Council have jurisdiction over "dilapidated buildings, but not over dangerous "structures in the City." I believe a case has arisen in which we enforced our right to deal with a neglected structure in the City, but this complication goes through the whole of the work, and you will see that is the reason why we have in this Statement No. II. attempted as far as possible to give you a note of each of the duties and powers.

882. (*Mr. Crawford.*) Do you not have similar difficulty with some of the the vestries and district boards; have they not certain powers still subsisting which clash to a certain extent with some of yours?—No, none, because that was all regulated by the Metropolis Management and Building Acts of 1855, and care was then taken that whatever was given to the Metropolitan Board of Works should not be given to the vestries, and the same system has been proceeded upon; but of course the City being left out of the question, that is how the complications arose, the City being not dealt with in the same way. (*Mr. Harrison.*) You may take it that the keynote of these exceptions results from the provisions of the City Commissioners of Sewers Act, 1848, dealing with those subjects, not having being operated upon by the Act of 1855. If you take the Act of 1848 and read it you will find an immense number of little details there which are still left with the City. Rating is quite exceptional. For instance, void spaces, empties, vacant grounds are all assessed under the Act of 1848. Outside there is no such power, although such power existed under the local Acts previously to 1855. Then, if I may refer to page 28 of Statement I., there are powers which are left extant in the City. For instance, the very strong point of the Artizans Dwellings Act. Now the City has got to that state, in regard to building and everything else, that practically, I may say, in that area there is very little, if any, to use the ordinary phrase, "slum property."

883. (*Mr. Smith.*) Not an insanitary area?—Not an insanitary area. Land is too valuable.

884. Too valuable to be condemned?—Too valuable to be allowed to be used in that way. The owners take good care to eject if they possibly can, or else the leases fall in, and the property is immediately converted into large buildings.

885. That is a very common error; the Artizans' Dwellings Act is a misnomer; it is not an Act to build artizans' dwellings, as people might suppose;

* *But see also* Blake, 1961.

it is an Act to clear unhealthy areas?—To clear unhealthy areas.

886. Unless the Local Government Act particularly require you, you are not bound to rebuild workmen's dwellings on the site, if the operation of the Act itself has rendered the building of such houses unnecessary. You entirely alter the character of a neighbourhood when you pull down a slum, and if you have bought it at an immense price you generally build a totally different class of property; the Act does not require that that class of property shall be rebuilt on the site?—We are clearing slums in Bethnal Green, within a short distance of the City area, at a net expense of 300,000*l.*; the City do not contribute.

887. No, I quite follow that. I have had a pretty large experience of the Artizans' Dwellings Act; we spent 1,500,000*l.* under it in Birmingham, so I know something about it?—That table points out the provisions which do not operate in the City, and it gives the expenditure of the outside body, and the correlative expenditure by the Commissioners of Sewers. And a singular thing this table illustrates, when we came to examine it, namely, that certain expenditure is not even paid by the ratepayer in the City, but is paid out of the Corporate funds, although the ratepayer gets the value of it, without being a member of the Corporation, by simply living in the geographical area of the City.

888. (*Mr. Crawford.*) Is that a matter of complaint by the ratepayer inside the City or outside the City?—That may be of both, because I think the money ought to be applied otherwise, and the ratepayers ought to pay their share instead of coming upon the Corporate assets, which may be wanted for other purposes. This table contains full information upon that question. Then there is a summary at page 58, showing the correlative expenditure of the two authorities, and grouped under heads "(A.)" and "(B.)." "(A.) Expenditure incurred by the Council under "Acts applicable to both the county and the City, "without any corresponding expenditure in the "City." There are five Acts. It is true the expenditure paid by county ratepayers under County Council levy is 988*l.* 15*s.* 6*d.*, and the City ratepayers have no corresponding expenditure; and there is nothing paid by the Corporation in respect of those Acts. "(B.) Expenditure incurred by the "three bodies, the Council, the Commissioners of "Sewers, and the City Corporation, for the same "purposes."

889. (*Chairman.*) Is not the City rated in respect of that expenditure?—No, they contribute nothing under the Infant Life Protection Act, and under other Acts there mentioned.

890. (*Mr. Crawford.*) Do you mean to say that they do not contribute towards militia barracks. Take one of your sub-headings, sub-heading 5; are you not acquainted with what is called the trophy tax in the City?—No; I think you will find that this is accurate.

891. (*Lord Farrer.*) Those are cases in which the City have the same jurisdiction within their area that the County Council have without it, but in which the City do not find it necessary to spend any money or to do anything?—Exactly; there is no expenditure appearing on the rate expenditure or out of the corporate funds.

892. (*Mr. Smith.*) Are those payments that you make yourselves for such things as county bridges or militia barracks, or are they for things that you paid for to the remaining portions of Surrey, Kent, and other counties?—Well, they have not been; I do not think the case has arisen since 1888, but it is a power.

893. That is, you have tabulated the whole thing at 988*l.* 15*s.* 6*d.*, but you do not think there were any payments for those?—No.

894. You may have commuted them in your capital adjustment?—No, these are *de facto* expenditures. (*Mr. Dickinson.*) As to the point that is raised with regard to the City, probably no expenditure was made in the year in regard to the militia barracks; there would probably be no trophy tax raised.

895. (*Mr. Crawford.*) Excuse me one minute. Is not this rather misleading; you put here, "Expendi- "ture incurred by the Council under Acts applicable "to both the county and the City, without any "corresponding expenditure in the City." I see you put down "bridges." You are perfectly well aware, of course, that three of the bridges are specially maintained by the City?—They are not county bridges. This only refers to county bridges.

896. Yes; but do you not think it would be desirable to explain that there is an expenditure in respect of bridges, but that there are no county bridges within the area of the City?—We could not possibly suggest that all our Thames bridges should be maintained by 988*l.* 15*s.* 6*d.*; it refers only to county bridges.

897. (*Mr. Smith.*) There are county bridges within the administrative county of London that are maintained by you?—Certainly. (*Mr. Harrison.*) We have had to build a new bridge over the Lea at considerable expense. You will find that the Weights and Measures Acts, 1878, 1879 came under B. "Ex- "penditure incurred by the three bodies, the Council, "the Commissioners of Sewers, and the City Cor- "poration, for the same purposes." Our expenditure is 5,043*l.* 15*s.* 3*d.* The City ratepayers pay 459*l.* 2*s.* 3*d.*, but in addition to that, the City Corporation out of its fees make a profit of 559*l.* 6*s.* 11*d.*

898. (*Mr. Crawford.*) Do you know how that profit is applied?—I do not know how that is applied; we shall see that from the accounts when the Corporation supplies them.

899. Do you happen to know that it is applied in relief of the ratepayers?—No.

900. I think it would be better if you would confine your remarks to the County Council, and not to the City?—The expenditure results in a profit to the City Corporation of 559*l.* 6*s.* 11*d.*

901. (*Chairman.*) That may be so, but you do not know how much money is spent by that body, although it is more than recouped by fees?—I cannot tell you at the moment without reference to the books.

(*Mr. Crawford.*) Obviously, you have not the accurate information in regard to the City.

(*Lord Farrer.*) That rather shows that we are in a difficulty from the want of the City information. The Council has given us the best information they can.

902–4. (*Mr. Crawford.*) They ought not to be quoted as examples to the detriment of the City?—Mr. Dickinson will explain Statement No. II., because he is the head of the staff which attends more particularly to the business of the Council.

905. (*Chairman.*) Speaking generally, the functions which the County Council exercises, which do not reach into the City, the City does not pay for?—No; except some of them.

906. (*Lord Farrer.*) Some of them it does; it is not much?—Some of them it does.

907. (*Chairman.*) What is the character of the exceptions where the County Council does something not affecting the City, not extending within the City and yet the City contributes?—As I mentioned just now, they are very few, very few indeed. My Statement C. only applies to four or five outside. It is accidental really, that is what it comes to. Parks are mentioned, and they contribute; of course that is a large item.

908. As a rule, where the County Council does work which extends within the City, the City pays—contributes its quota—is rated?—(*Mr. Dickinson.*) Oh, yes, where it does work which extends into the City.

909. Where the County Council does work which does not reach into the City the City is not rated?—As a general rule. (*Mr. Harrison.*) Which is not geographically situated within the City.

910. That work may be done or may not require to be done within the City, but if it is done within

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the City it is paid for and managed by the City itself?—Yes, out of various funds, of course, but it is managed and paid for by the City itself.

911. If the work that is done by the Council not extending to the City were carried into the City, the City would be rated presumably in respect of that work as it is at present rated with respect to work which runs into the City?—(*Mr. Dickinson.*) Quite so.

912. You go through and give us in Paper No. 1 illustrations of the work which does not run into the City?—(*Mr. Harrison.*) Yes.

913. The lunatic asylums to which you have already referred?—Yes. Industrial schools; housing of the working classes.

914. Lunatic asylums, reformatory and industrial schools, and county bridges?—Yes.

915. Those are on page 6 of Statement I. The lunatic asylums is a case of work which the County Council has taken over from the justices of what was the county of London?—Justices of the adjoining counties.

916. But the corresponding work within the City is county work, and remains with the sessions of the City?—No, it was transferred to the Common Council by the Lunacy Act, 1890.

917. It ceased to be county work and became City work?—Well, county work of the county of the City of London.

918. (*Lord Farrer.*) Transferred to the Council instead of being in the hands of the justices?—Instead of being in the hands of the aldermen, who are justices for the City; every alderman is a justice for the City.

919. (*Mr. Smith.*) It is a municipal function in Birmingham. We have our own lunatic asylums. We do not have them by virtue of being a county, but we are the authority for lunatic asylums under the Lunacy Act?—Yes, but in London it was taken away from the county surrounding the metropolis and vested by the Local Government Act of 1888 in the County Council.

920. And in the City, in the same way, it was transferred from the aldermen who were the justices in the City to the Common Council, who are the municipal authority in the City?—Exactly. (*Mr. Dickinson.*) The Lunacy Act was passed after the Local Government Act.

921. What I meant to point out was that it did not follow that previous to the Consolidating Lunacy Act a municipality could not have its own lunatic asylums; it was quite competent for them to have them apart from the county in which it was situated?—Yes.

922. (*Chairman.*) Under a privilege of its own?—Yes. Until 1888 everything outside the City area was under county government practically.

923. (*Mr. Smith.*) What were known as the home counties?—(*Mr. Harrison.*) The home counties you may say, and they had an administration as justices of lunacy, and that portion of their powers *plus* the industrial schools have come over as part of the administrative business of the county of London, and the remaining business still rests in the county justices.

924. (*Chairman.*) Does your paper show the relative expenditure in regard to lunacy?—Yes. You will find it at pages 46 and 47 of Statement No. I.—"Provision "for and enlargement and management of asylums "for pauper lunatics and pauper lunatics without "settlement (not being pauper lunatics without settle- "ment in the City of London), including portion of "debt taken over from late county justices." That is 96,836*l.* 5*s.* 1*d.*

925. And you make out that 3,000*l.* is paid out of the corporate funds?—3,272*l.* 13*s.* 11*d.* is paid out of the funds of the City of London Corporation, not by the City ratepayer.

926. There is nothing paid by the ratepayers?—There is nothing paid by the ratepayers in the City.

927. That, according to your information, is the total cost of the City lunatic asylums?—Not of the City lunatic asylums, but that part which forms the county. There are only 40 lunatics who are without settlement and chargeable to the City of London, but the City of London has established at Stone, Dartford, a lunatic asylum which takes in from the City parishes their lunatics having settlements within those parishes, and of course they are paid for them by the parishes.

928. (*Mr. Smith.*) They are properly City lunatics?—They are properly City lunatics, and they are paid for by the City parishes, but the City pauper lunatics do not exceed 37.

929. (*Mr. Crawford.*) Simply wandering lunatics?—Simply wandering lunatics.

930. (*Chairman.*) And that corresponds to your expenditure of 96,838*l.* 5*s.* 1*d.*?—Yes.

931. What is the relative rateable value of the City and the county?—The rateable value of the City of London as on the 1st of June 1893 was 4,124,227*l.*

932. One-eighth roughly?—The total, including the City, is 33,625,861*l.*

933. But excluding the City would be the proper thing to compare?—Yes. You have to take the one from the other; it is about one-eighth. Just over one-eighth. (*Mr. Dickinson.*) 29,501,634*l.* against 4,124,227*l.*

934. Rather more than seven to one, seven-and-a-quarter to one?—Yes.

935. The actual expenditure is about 30 to 1 on this particular item, and so also with respect to industrial schools, the expenditure is enormous in the county compared with the City?—(*Mr. Harrison.*) We took over these together with the debt. The number of lunatics under the care of the Council is 10,835.

936. (*Mr. Smith.*) Settled and nonsettled?—Yes, settled and nonsettled. We have some boarding out now.

937. (*Lord Farrer.*) There is no room for them in the asylums?—There is no room for them; we are just getting Claybury Asylum, near Woodford in Essex, ready.

938. Does that expense include the boarding out?—(*Mr. Dickinson.*) No, I am afraid it does not; it says so here, where it is given in my statement Statement No. II. What we say is:—"In the year "ended 31st March 1892 the Council expended on "capital account 100,157*l.* 6*s.* 7*d.*, and on rate "account 58,199*l.* 7*s.* 4*d.*, for the provision and "maintenance of asylums during the preceding year "the Asylums Committee expended 252,048*l.* 0*s.* 6*d.* "for the maintenance of lunatics. This sum does "not include any expenditure in respect of the 1,539 "patients in licensed houses and other asylums under "arrangement with guardians."

939. That is an additional expense?—An additional expense still.

940. (*Mr. Smith.*) You recover the greatest amount, I suppose, from the guardians?—Yes, I think we recover it all.

941. It is the expense of the interest and sinking fund on the asylums?—That is what it is. (*Mr. Harrison.*) Claybury Asylum has just been completed, at a cost of half a million of money. We have reduced the cost of the asylums very considerably by centralizing.

942. (*Chairman.*) The further functions which run into the City are stated at pages 8 and 9 of Statement No. I. I think we have got them; highways and locomotives, weights and measures?—They are summarized at pages 24 to 26 of Statement No. I. "Powers of the London County Council exercised in "the county but stayed in respect of the area of the "City."

943. I thought myself that your tabulated statement was clearer than the other?—It requires an examination of the particular power, which again requires an immense deal of reference to the Acts and the different sections. You will find it all detailed

in a summary, giving the powers in fuller terms, on pages 24 to 28 of Statement No. I., and you will see it winds up in nearly every case, "local "authority other than the Council outside the City "means any vestry or district board. Local authority "for the City is the Commissioners of Sewers"; and it goes through each Act and states each provision which is stopped by the jurisdiction of the City.

944. The highways and locomotives expenditure, the relative expenditure, is that ascertainable?—It is, at page 40 of Statement No. I.

945. It appears to be nominal, if that is true?—We have only eight miles of highways, main roads; it is nominal at present.

946. In the City it is a blank?—In the City it is a blank. (*Mr. Dickinson.*) This is not the payment for main roads, because we pay a certain sum for main roads. (*Mr. Harrison.*) This is simply as to the expense of locomotives.

947. (*Lord Farrer.*) The province of the County Council is to make byelaws, is it not; nothing more?—To make byelaws. (*Mr. Dickinson.*) Yes, the City contributes to the main roads; that is why it is not here; there is always that difficulty.

948. (*Chairman.*) The City does contribute towards it?—We have only 11 miles of main roads to which they contribute under the Local Government Act.

949. (*Lord Farrer.*) There is no main road inside the City, is there?—(*Mr. Harrison.*) No. I think they could, under the powers of the Act, declare roads to be main roads. The King's Road, Chelsea, is a main road. (*Mr. Dickinson.*) The Edgware Road is the principal one.

950. There are one or two roads where turnpikes remained to a very late period?—(*Mr. Harrison.*) That is what it was.

951. (*Chairman.*) With respect to weights and measures, you have no information as to the actual sum expended by the City in relation to that; you only make out that they can make a profit out of it?—We can give the detail of that account of weights and measures. (*Mr. Dickinson.*) This table only applies to the net amount which falls on ratepayers.

952. The City makes a profit. One wanted to know what was the amount raised in fees?—(*Mr. Harrison.*) The total amount raised was 1,126*l.* 16*s.* 4*d.*

953. And the expenditure about one half?—656*l* 9*s.* 5*d.*

954. The expenditure was about half the fees?—Yes.

955. The actual expenditure on weights and measures in the City would be rather in excess, apparently, of the proportion shown by rateable value. It would appear that the actual sum expended upon those would be about 1,500*l.*?—I should not think the rateable value was a test at all.

956. I was only seeing what the effect would be?—Yes.

957. In some cases the City would be—?—I think I could supply you with that if you desired it. What would be the practical operation of making the expenditure in common, what alteration it will have upon the City ratepayer. Subject always to this question that at present some portion of the expenditure is paid out of the corporate funds; it is not paid by the ratepayer.

958. The expenditure is heavier in a shop-keeping locality?—Yes. (*Mr. Dickinson.*) Our 5,043*l.* 15*s.* 3*d.* is a balance also. (*Mr. Harrison.*) There has been a very considerable receipt by the Council, in consequence of the enforcement of the Act.

959. (*Lord Farrer.*) That 5,043*l.* 15*s.* 3*d.* is the excess of payment over receipt?—(*Mr. Dickinson.*) I understand so.

960. (*Chairman.*) The receipt would be considerable?—(*Mr. Harrison.*) Yes.

961. (*Mr. Crawford.*) You are aware that the Corporation has charter rights in connection with weights and measures, are you not; they have for centuries applied to their own purposes profits made in connection with that?—Historically; I have no personal information.

962. Until the last Act they had the right, had they not, to compel every measure used to be stamped by the City, and of course that was a profit to the citizens of London?—I believe that was so. (*Mr. Dickinson.*) It is 9,700*l.* our total expenditure under that Act, not 5,043*l.* The balance, 4,000*l.* odd, has been received. (*Mr. Harrison.*) These are all net expenditure after giving credit for receipts in aid or anything.

963. (*Chairman.*) Does it often happen that there are receipts in aid?—(*Mr. Dickinson.*) There are 4,000*l.* in that case.

964. In that case, no doubt, but is that a frequent item?—No, I think not. In the Artizans' Dwellings there would be no receipts. (*Mr. Harrison.*) I think it is noticed in the accounts later on.

965. Coroners is the next considerable case of functions which are distinct?—Yes. We now appoint the coroners, except for the City; we have got 11 coroners.

966. What is the expenditure in that case?—10,000*l.* It is at page 60 of Statement No. I., amongst the staff, 11 coroners cost 10,228*l.* 4*s.* On that page we have attempted to group somewhat similar correlative offices.

967. In the City expenditure under that head you put down at 1,035*l.*, the salary of the City Coroner?—Yes, that is taken from the Corporation accounts.

968. (*Mr. Crawford.*) Perhaps you will kindly do the town clerk the justice of making one correction. You give him a salary of 5,000*l.* a year, no doubt he would be delighted to have his salary at your figure, but as a matter of fact his salary is 3,500*l.*?—The town clerk, we will be delighted to make the correction.* We do not pay our committees; in the City every committee is paid.

969. Committees are not paid. Moneys are paid to the account of the committee for the purpose of what they are doing.

970. (*Chairman.*) Is there a separate coroner for Southwark?

971. (*Mr. Crawford.*) There is a power in the City to appoint the coroner for Southwark; that is an ancient office created by charter. The duties of the coroner of Southwark are performed by the same man who performs the duties of the coroner for the City of London.

972. (*Chairman.*) This salary covers both?

973. (*Mr. Crawford.*) I think the County Council have to pay something in connexion with the coroner of Southwark?—(*Mr. Dickinson.*) Yes, we pay the salary and expenses of the coroner of Southwark.

974. (*Chairman.*) That is included amongst the 11 coroners that you have down?—We pay the salaries of all the coroners, except the City. In Southwark we pay the salary of the coroner. (*Mr. Harrison.*) Our duty is to appoint and pay coroners; to divide the county into districts, and to assign such districts. The Statement No. II. contains this note:—"The appointment in the City and the borough "and liberty of Southwark are in the Common "Council. In Westminster the Dean and Chapter "appoint; in the liberty of the Tower the Constable "of the Tower; and in the Duchy of Lancaster "the Chancellor of the Duchy. In all these cases "the Council pay the salaries and expenses, except in "the City."

975. (*Mr. Smith.*) And you assign the salary; although the appointment is in other persons, you assign the amount to be paid?—(*Mr. Dickinson.*) In that case we have not got the power. (*Mr. Harrison.*) We only acquired that under the Local Government Act, 1888.

976. (*Chairman.*) These offices outside the City, in Westminster, and the Savoy, and elsewhere, would they be filled by your appointments when vacated?—(*Mr. Dickinson.*) Yes, all coroners now. (*Mr. Harrison.*) Everywhere, when vacated.

* *See also* Payne, 7053–8.

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977. *Mr. Crawford.*) Not in Southwark.

978. *Chairman.*) Then this note at page 33 of Statement No. II. is not quite complete. "NOTE.—"The appointment in the City, and the borough and "liberty of Southwark, are in the Common Council. "In Westminster the Dean and Chapter appoint; in "the liberty of the Tower the Constable of the "Tower, and in the Duchy of Lancaster the Chan- "cellor of the Duchy. In all these cases the Council "pay the salaries and expenses, except in the City"? —(*Mr. Dickinson.*) I am not quite sure; I would have to see to that.

979. (*Mr. Smith.*) Might it not be that some of these gentlemen who hold freehold offices are still paid by fees?—(*Mr. Harrison.*) My belief is this that we have power to alter or commute it upon compensating them for any loss of office. We have had that in Surrey under the Standing Joint Committee.

980. With an appeal to the Treasury?—With an appeal to the Treasury. I think there is a question now pending.

981. (*Mr. Crawford.*) It is under the Local Government Act, section 3, sub-section 11?—Yes, it is under the Local Government Act. The section is:—"The salary can be revised . . . provided "also, that after the lapse of every successive period "of every five years it shall be lawful for any such "justices and such coroner, as aforesaid, to revise "and thereby increase or diminish such salary, having "regard to the average number of inquests held by "such coroner in the five years immediately pro- "ceeding, and subject, in case of their disagreement, "to such appeal to the Home Secretary as before "mentioned; Provided always that nothing herein "contained shall in any manner take away, alter, or "deprive any such coroner of the right to be repaid out "of the County rate the expenses and disbursements "which may have been made or paid by him on the "holding of any inquest as provided by the Act First "Victoria, chapter sixty-eight. The local authority "for a county or borough from time to time may "make, and, when made, may alter and vary any "schedule of fees, allowances, and disbursements "which on the holding of an inquest may lawfully be "paid and made by the coroner holding such inquest "(other than the fees payable to medical witnesses in "pursuance of this Act), and the local authority shall "cause a copy of every such schedule to be deposited "with the clerk of the peace of the county, or with "the town clerk of the borough, and one other copy "thereof to be delivered to every coroner concerned." (*Mr. Dickinson.*) In answer to your question, looking at it closely I am afraid the County Council will not have the appointment of the coroner in the City. The words of the Local Government Act are as follows:—"After the appointed day a coroner "for a county shall not be elected by the freeholders "of the county, and on any vacancy occurring in "the office of coroner for a county, who is elected "to that office in pursuance of a writ *de coronatore* "*eligendo*, a like writ for the election of a successor "shall be directed to the County Council of the "county, instead of to the sheriff, and the County "Council shall thereupon appoint a fit person, not "being a county alderman or a county councillor, "to fill such office, and in the case of a county "divided into coroners' districts shall assign him "a district, and any person so appointed shall have "like powers and duties, and be entitled to like "renumeration, as if he had been elected coroner "for the county by the freeholders thereof." This does not apply to franchise coroners. In the City of London the Lord Mayor is chief coroner, but the officiating coroner for the City of London and the borough of Southwark is elected by the City Common Council; the coroner for the City of Westminster is appointed by the Dean and Chapter of Westminster. They are franchise coroners not affected by the Act. (*Mr. Harrison.*) I say we have got one case of compensation paid to Mr. Carter for loss of office, and the Surrey County Council paid a portion.

982. There is only one point I should like to mention; it is not in the shape of a question. I do not know whether Mr. Harrison or Mr. Dickinson is under the impression that this statement has gone to the Corporation. The Corporation have not seen this statement of yours, Statement No. I. It has not gone to the Corporation, so I do not know whether you have any objection to their being furnished with it in order to check your information?—(*Mr. Dickinson.*) We presumed that the statements would come in contemporaneously, and that one statement would not be an answer to the other statement. We rather had the impression that the Commission was going to have a statement from us and a statement from the City contemporaneously, and the two would stand on their own merits.

983. (*Chairman.*) Applications were made contemporaneously, but one authority was more forward than the other apparently. Now the question is whether you have any objection to the communication of these statements?—(*Mr. Harrison.*) No I do not think we have.

984–5. There is no objection to these statements being communicated, is there? — (*Mr. Harrison.*) I do not see the objection, unless it is taken to absolve or release the City from the obligation to produce its statement of facts, or to delay its production, merely whilst it is replying to this. I think then there would be objection, but if they only want to see it and want to make comments upon it, or answers to it, supplementary to their own statement there is not the slightest objection. (*Mr. Dickinson.*) Everybody may have this. There is no doubt there are things in this—there must be, because it is very complicated — in which the City Corporation may show we are wrong. If they restrict themselves to showing we are wrong, instead of giving their own statement, we should be rather inclined to object.

986. (*Mr. Crawford.*) I think you may take it from me that the City would not adopt that attitude of merely saying you were wrong without showing how you are wrong?—We merely wanted your statement to come first. (*Mr. Harrison.*) If it is to be regarded as a claim, and certain statements are to be replied to by the City, and they are to take time to do that, and are not in the meantime to supply a statement of their powers and duties, I think that is not right.

987. (*Lord Farrer.*) This is a statement of facts? —(*Mr. Dickinson.*) It is a statement of facts and law, and the law may be wrong in some places.

988. (*Chairman.*) It is no great injury to your character and position if you are found defective.

989. (*Mr. Crawford.*) I think it would be a great saving of time. You have adopted a particular form for supplying this general information which appears to have been very carefully considered, and it might be one which the City would like to follow?—(*Mr. Harrison.*) If the City would supply us with a statement of their powers we would begin to check it at once. I am quite sure that on matters of law we are pretty accurate. Each committee is attended by its own legal adviser, and in our department we know very fairly what our legal powers are.

990. (*Mr. Smith.*) I read Statement No. I., and it struck me as a simple statement of law and powers. It does not seem to me to be a controversial document? —It was not so intended.

991. (*Mr. Crawford.*) It gives figures; I cannot possibly carry those figures in my head, and if the figures are to be corrected, if it is necessary to correct them, obviously the statement must be furnished at some time or other to the City Chamberlain, and I do not see anything myself in the document which the County Council can possibly object to being made known to the City.

992. (*Chairman.*) Apparently the representatives of the County Council would have no objection whatever to the communication to the City of these, which are public facts, only wanting a little industry for anybody to get out, but they are a little afraid lest that

indication of view delayed the production of the City statement?—(*Mr. Dickinson.*) That is it.

993. (*Mr. Crawford.*) I do not see how it is likely to occasion delay.

994. (*Mr. Smith.*) You would not object, of course, to the rectification of that one item, the Town Clerk's salary. It had better be printed in another form?—*Mr. Harrison.*) Oh, certainly; it is not done with any object or view to make any invidious comparison between the salary of the Town Clerk and the salary of the Clerk to the County Council.

995. I thought, perhaps, it was prophetic of what you were to pay the future Town Clerk.

996. (*Mr. Crawford.*) You put down 180*l.* for your housekeeper, and the hallkeeper in the City at 550*l.* I assume your housekeeper probably has nothing whatever to do with summoning committees or attending committees, or anything of that kind, whereas our hallkeeper has. I understand your housekeeper is an ordinary housekeeper, therefore I only point it out to you. It would look a ridiculous thing for a corporation to pay 550*l.* to a mere hallkeeper which from your point of view is a housekeeper. The corporation hallkeeper is an official who has to attend upon committees, summon all committees, attend Courts of Common Council, &c.

997. (*Mr. Smith.*) He is talked of as Mr. Hallkeeper

998. (*Mr. Crawford.*) It is a very ancient office.

999. (*Chairman.*) I interrupted you when you were going to make some general statement about the second paper, Statement No. II. We have not seen it, so it would not be prudent to enter into detail. If you have any explanatory remarks to make we shall be glad to hear them?—I would suggest that Mr. Dickinson, the Deputy Chairman of the Council, might give a sketch of the purport of the paper that might get on the notes.

(*Mr. Dickinson.*) In the first place, the first two pages are simply stating what our view is of the present position of affairs; as to what the administrative County of London is, and with a note calling your attention to the fact to which you have already referred, namely, that there are two non-administrative counties. I pass from that to a statement of the work of the Council. This statement is on pages 3 to 14. That must be taken as a very general statement because the actual work will be found in the Appendix with the section of the Act of Parliament under which we carry on that work in each case put against it, so that it is a question of turning to the various committees that carry on the work, and then you will see exactly what the detail of the work is. I have treated the work of the Council in four divisions; I thought it was well to state, first of all, the administrative work which, as you will see, includes such things as main drainage, bridges, management of the fire brigade, parks and lunatic asylums, the provision of artizans' dwellings, and so forth, being, properly speaking, work of an executive character that we carry on ourselves. Then I have placed under the second head what I call work of a supervisory nature, which constitutes a great portion of our duties, and divided that, again, into sub-heads. First of all, I put shortly our powers over the actions of the local authorities. These are to be found on pages 4 and 5, and constitute some of our most important duties, because it is in this respect that we are brought into relation with the vestries and the sanitary authorities in London. I have pointed out that the course of legislation recently has been to put us in the position of being able to take action in default where work is badly carried on, but practically to leave the work in the hands of the sanitary authorities as long as it is well carried on. That includes taking action in default, making byelaws, which we have done to a certain extent, and being the body to which any individuals appeal if they think themselves injured by the action of the sanitary authorities. Then we are in communication with the medical officers of health since the Local Government Act of 1888 gave us power to pay half the salary of any medical officer appointed after that date. A great number have since been appointed with a view of getting half the salary paid, and we are enabled to oblige them to send reports. It would be a very judicious thing if this provision could be extended to all officers, whether appointed before or afterwards, because we find that gives us an amount of information as to the sanitary condition of London, which is very valuable. Then in regard to infectious diseases, we have notification of what infectious diseases are taking place, and we have certain powers in regard to the requiring sanitary authorities to make *post-mortem* rooms. Then we have very considerable powers over local sewers, and with regard to infectious diseases, we have a power of stating that a certain disease should be classified as an infectious disease, and therefore subject to the provisions of requiring notification, and so forth.

1000. (*Mr. Smith.*) That is your power, not that of the sanitary authority?—It is a power, I believe, that is in them also. Then, with regard to local sewers, we have considerable powers over their formation. No sewer can be made by any sanitary authority in London, with the exception of the City, without the Council's approval. We have to approve of the plans of the sewers, and we make byelaws for their construction. That is a power we had from the Metropolitan Board of Works. It is a very wide power, and gives to the County Council practically supreme authority in regard to the whole of the proper drainage of London. Then, paragraph 8, is the question of loans. The Metropolitan Board of Works had this power also; that all borrowing by vestries or district boards is to be done subject to our consent, and they come to us with their proposals. We see the number of years that they propose to extend the repayment over, and we give our consent or withhold our consent.

1001. Do you take the place of the Local Government Board in that respect?—We take the place of the Local Government Board in that respect with district boards and vestries.

1002. You settle the period of the loan?—We settle the period of the loan; we settle everything, subject, of course, to the period not exceeding the term for which the law allows the local body to borrow.

1003. Without any superior authority?—Without any superior authority except that we cannot lend to them, except under the powers of our own Act of Parliament; but as regards their facilities for borrowing money, they have no one to consult but ourselves, because we can consent to their borrowing, and then they can go and borrow outside.

1004. They are not obliged to borrow from you, but they find it more convenient, so as not to compete in the same market?—They get it cheaper from us. Practically we are the lending authority for the whole of London. Then, as regards rating and assessments, of course, we have rather a peculiar position. In the first place, we have a power under the Local Government Board of making the assessment for the county rate, and that would run all over the county, had it not been that in 1869 there was an Act passed which regulated the assessing of property in London by means of Assessment Committees, but that did not take the same area as the County of London. It only applied it to those unions, of which the greater portion were in the County of London. Now, there was a union, the Union of Croydon, of which there was a small portion, namely, Penge, in the county of London as well as in the county of Surrey. That Act did not apply in regard to Penge. In regard to Penge, we have to appoint every year a county Rate Committee under the County Rate Act. The County Council appoint this Committee which acts for the purpose of assessing the value of property in Penge. Then, as regards all the other places, the Assessment Committees act independently of us entirely, but when the assessment is once made they

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all have to send their lists to us for the purpose of preparing the list of totals, and we have a right of appeal to the Quarter Sessions against the totals, if we think the totals are unjust. We have done this in certain cases, and the appeals are still pending.

1005. Uniformity as between parish and parish or union and union?—That is the only means of bringing about uniformity as between union and union.

1006. (*Chairman.*) And that is the Quarter Sessions of the non-administrative County of London?—The Quarter Sessions of the non-administrative County of London.

1007. How about assessments within the City?—Appeals against assessments within the City go to the same Court; only two aldermen are entitled to sit to hear such appeals. There was an appeal against the City valuation which has not yet come on.

1008. (*Mr. Smith.*) For the purpose of making your own rate do you use that assessment?—For the purpose of making our own rate, yes; we have to use that assessment entirely. Then we have also some powers with regard to dividing parishes into wards. That is under the Metropolis Management Act. Then the Council deals with such things as declaring that a road through the middle of which runs the boundary of the parish shall be dealt with as if in one parish; and closing streets, this has to be done subject to our control; and then the Overhead Wires Act, that gives us power of making byelaws, regulating the construction of the wires, and so forth, and these byelaws have to be enforced by the local authorities; but in this case if a sanitary authority outside the City neglects to enforce the byelaws which we have made, we can step in and do it, but in the City we cannot do that. The City kept that in their own hands by appearing when the Bill was before a Committee of the House of Commons.

1009. Exercising their municipal functions in that respect?—Oh, yes. I will do the City the justice to say that they try to get as many functions as they can. Then all the streets are named by the Council, and we can compel the local authorities to execute its orders.

1010. (*Chairman.*) In the City?—All streets in the City are named by us. You will see that the street-naming paragraph has got "(*a*)" against it. That refers to a note at the bottom: "These powers "are exercised over the whole administrative "county," which means in the City. The second sub-head is "Powers of Licensing and Registration." That includes the very large question of the licensing of theatres and music halls, and racecourses, of which latter there are none, slaughter-houses and cow-houses, and the carrying out of the law with regard to the licensing of stores for keeping explosives or petroleum. (*Mr. Harrison.*) The Petroleum Act is an extraordinary one, because the City being the Port Authority, they have the execution of the Act when the petroleum is afloat on the river. Once the petroleum is landed it comes under our jurisdiction. (*Mr. Dickinson.*) We cannot get at it till it is on shore.

1011. You have got a note to that paragraph about petroleum that the power is not exercised within the City?—Not within the City.

1012. (*Mr. Crawford.*) In all the county?—We do not exercise it in the City at all; but even outside the City as long as petroleum is on the river we have nothing to do with it, because the City appoints the Port Sanitary Authority.

1013. Excuse me. You do not mean to say that the Port Sanitary Authority has any power whatever under the Petroleum Acts. The Thames Conservancy surely is the Harbour Authority?—(*Mr. Harrison.*) No.

1014. I think you had better not shake your head too soon, Mr. Harrison. I think you will find that the Thames Conservancy has some power?—(*Mr. Dickinson.*) At all events it is not within the Council's jurisdiction; we do not get at it till it comes on the land. The third sub-head states the Council's "Powers of giving or refusing consent." Although this does not appear at great length, yet it constitutes a large portion of our work, because we have to consent to all the electric companies laying their mains; and also under the Building Act the power of consent and non-consent is very great indeed, and very varied. Practically, everything that is not in accordance with the building law of London has to come under the consideration of the Building Act Committee of the County Council; they regulate all the questions of projections beyond the line of frontage, and so forth.

1015. (*Mr. Smith.*) Going back for a moment to electric lighting, I presume the vestry have power over their own streets to some extent; they have to consent also, have they not?—I think they do; I am not perfectly certain about it. It depends very much upon the Order. For instance, in Chelsea, we do not consent, because the old Order defined the Chelsea vestry as the consenting body.

1016. It would strike me as a sensible thing that whatever body it may be that it would be desirable to delegate the street functions to, should have the control of that street, and it would naturally be the vestry?—Yes. (*Mr. Harrison.*) It is not a question of the locality merely, because the whole of the metropolis is divided out into electrical areas, and as they want a central administration they very often run into one borough.

1017. You want to have uniformity?—We want to have uniformity.

1018. (*Lord Farrer.*) And the Council have no similar jurisdiction whatever over gas or water?—Over gas, as regards quality.

1019. But opening the streets?—(*Mr. Harrison.*) No, none; that is left entirely to the local authority.

1020. And is dependent, of course, on the terms of the Companies Acts?—Entirely; it was in existence before 1855.

1021. I was at the Board of Trade when the Electric Lighting Act was passed, and it was thought desirable, as electric lighting would be a central affair in London, and not merely a local affair, that power should be given to the central authority as well as to the local authority?—That is it.

1022. That is my recollection of the Electric Lighting Act?—At present it is entrusted by the Board of Trade to the central authority. (*Mr. Dickinson.*) Under the Building Act the Council makes byelaws regulating the formation of streets, as to the foundations and sites of buildings, and as to the building materials to be used. It licenses sky-signs and can remove unauthorised sky-signs.

1023. (*Mr. Crawford.*) The Commissioners of Sewers are the authority with regard to foundations in the City?—Yes. (*Mr. Harrison.*) That is under the Act of 1848.

1024. You have no power to make byelaws in regard to foundations in the City; the Commissioners of Sewers have that power?—(*Mr. Dickinson.*) No, you are quite right; the power to make byelaws in regard to foundations and sites of buildings does not run into the City; that is why I put the references "a" and "b" in the footnotes. Some powers do and some do not run into the City, but you will find in the appendix whether they do or do not. The fourth sub-head relates to the Council's "Powers of inspection." We inspect all the dairies, and we inspect the gas with the view of ascertaining whether it is below proper lighting power or the quality is not good. And the same as regards electric lighting; we have to inspect their meters, and so forth. With regard to the weights and measures and the sale of coal, there we employ a large staff of inspectors. Since that Act was passed we have been doing a good deal of work, especially in regard to the sale of coal. Then under the recent Act as to the employment of young persons in shops, limiting the number of hours, we are the authority to enforce that.

1025. (*Lord Farrer.*) Has that come into operation yet?—It has come into operation, and we have already had several prosecutions.

1026. (*Mr. Smith.*) You have not appointed any inspectors yet?—Yes, we have our inspectors.

1027. (*Mr. Crawford.*) And the City, too?—I do not know. In regard to factories we can require that all factories shall be safe from fire. We are carrying it out as fast as we can, but it is a very big question in London. As to the prevention of floods the Council can compel owners of riverside property to embank the river so as to protect the adjoining land, and with regard to the pollution of rivers we are made the authority by the Local Government Act. Practically, that does not apply to the Thames or Lea because the Conservancy Boards exist over these.

1028. (*Lord Farrer.*) In fact, the jurisdiction of the county extends to the river; it stops at the river, does it not?—(*Mr. Harrison.*) There is a clause in the Local Government Act that it is to be subject to the Conservancy Acts. (*Mr. Dickinson.*) It says subject to other Acts. I should not like to say we have no power; we have power, but it is nominal.

1029. (*Mr. Smith.*) You would have power over any undiscovered river?—Yes. The fifth sub-head refers to "Byelaws." Our power with regard to making byelaws is one that has been growing within the last few years. I have put these separately, because I think it is rather an important branch of our work. To begin with, by the Local Government Act the Municipal Corporations Act was incorporated, and there is a section of this Act under which we have power to make byelaws for the good rule and government of the county. That is very vague, and we have been advised that it is not wise to act much upon that.

1030–1. I think it has been found a dead letter; it has been confined, I think, in most municipalities to controlling the order of their own proceedings?—Yes. Then the byelaws with regard to buildings, new streets, drains and pipes, communication with sewers, and others I have spoken of—these are all to be made by the Council, and we make byelaws with respect to offensive businesses; also we regulate the construction of theatres by regulations, not byelaws but regulations, and then we make byelaws as to overhead wires. Of course we make byelaws for our own work, parks and bridges and so forth, carrying out the Weights and Measures Acts, the Contagious Diseases (Animals) Acts, and under the Prevention of Cruelty to Children Act, 1889, we can make byelaws regulating the hours during which children may sing in public places. Under the Public Health Act we are making byelaws—they practically have been made—which will regulate the whole of the question of the removal of refuse by the vestries and by sanitary authorities. The byelaws we have made are very important indeed, and we hope that they will meet one of the very greatest evils in London.

1032. The removal of dry rubbish, and so on?—And how it is removed. Our byelaws enact that it must be removed, I think, once a week. We began with twice a week; I am not sure what form that has taken ultimately, but I think it is once a week. In many places they are not removed once a fortnight.

1033. That brings in the question of destructors?—That might. We should be pleased to let you see the byelaws that we have made in that respect.

1034. (*The Secretary.*) What is the difference between regulations and byelaws?—We issue regulations where we have not a statutory power to make byelaws.

1035. (*Mr. Smith.*) A regulation does not usually carry any fine with it, and a byelaw does?—Yes. As I say, of course, all these byelaws have to be confirmed; some by the Local Government Board, and some by the Home Office. Then as the third head of the work I have put the "duties of watching generally over the public interests." This includes our work with respect to charities. We have representatives on the governing body of the City of London Parochial Charities, and we are constantly asked to appoint representatives for the various charities that the Charity Commissioners are regulating. Every scheme that comes before the Charity Commissioners is sent on to us for our consideration, and a committee reports about it, and we make recommendations to the Charity Commissioners.

1036. (*The Secretary.*) Over what area does that extend?—That would be over the whole of the administrative county.

1037. Including the City?—That would be at the discretion of the Charity Commissioners.

1038. (*Mr. Smith.*) Is that statutory, or is it matter of grace on the part of the Charity Commissioners?—I do not think it is statutory. Then, of course, as to taxation we naturally interested ourselves in that question, and have obtained figures as to the expenditure of the various local bodies in London; also the parliamentary work, although it is very shortly stated here, is the most important. You will see as to opposing Bills that we had 184 Bills to oppose in the last four years. Practically, during the whole of the parliamentary session we are engaged in opposing or promoting Bills. And, with regard to promoting Bills, we have power as the successors of the Metropolitan Board of Works, but there has been rather a doubt whether that extends to the promotion of Bills for general purposes, although we are advised that it may. At any rate all our Bills that we have promoted have been held to be properly promoted. We have had no question raised about them.

1039. Do you find section 80 is a difficult section to work?—The less we say about section 80 the better. I do not think that it was intended to mean what it says. The last heading is that of "Finance." I thought it better to keep the finance of the council separate, and I have put as shortly as I can the position as regards finance. Of course, as you know, we have a grant from the Exchequer contributions, and then we have rents, fees and fines, and then the great balance of our income is made up by the county rate. That county rate, as you are probably aware, has to be divided. There is the general county rate, which runs into the City, and then there is the special county rate, which is raised to meet the cost of the work which is not to be charged to the City; that is about $2\frac{3}{4}d.$ The total rate for this year, for the whole, that is to say for the general county purposes and special county purposes, is $12\frac{1}{2}d.$, of which only $10\frac{1}{10}d.$ is collected in the City. The amounts thus received were, in the year ended March 1893, as follows:—

	£	s.	d.	£	s.	d.
(1.) Exchequer contributions:						
Balance of produce for the year 1891–2	201,902	7	6			
On account of the year 1892–3	411,149	0	0			
				613,051	7	6
(2.) Rents, fees, fines, &c.:						
General county purposes	67,735	8	1			
Special county purposes	27,743	12	1			
				95,479	0	2
(3.) Rates:						
General county purposes	1,400,904	4	3			
Special county purposes	291,647	7	8			
				1,692,551	11	11
				£2,401,081	19	7

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1040. Does that involve a great amount of book-keeping—the separation?—It is a very complicated thing, not only book-keeping, but really when we first came into office we did not know what to charge to each account. We had several difficult questions with the City. We charged for lunatics first of all. We took advice and the City took advice, and the result was that we had to exempt the City.—(*Mr. Harrison.*) Of course it is not suggested that $2\frac{1}{2}d.$ is the difference when you are rating over the whole thing.

1041. The necessity for the separation is that there is $2\frac{1}{2}d.$ charged for the whole body which is not charged in the City?—Yes.

1042. (*Chairman.*) If it were one what would it be?—(*Mr. Dickinson.*) If we added their expenditure I do not think that we could possibly say at this moment what it would be.

1043. Would it go over 11*d.* all through?—(*Mr. Harrison.*) We can hardly tell you that because a portion of the rate is paid for out of the corporation funds. If you take that into account it is not paid by the City ratepayer but by the corporation, and if we take their correlative duties and put that in it would increase the city ratepayer by so much and would relieve the metropolitan ratepayer by so much.

1044. (*Lord Farrer.*) Have you any idea what, if any, amount is raised by rate in the City, what rate corresponding to this $2\frac{2}{5}d.$?—Yes, that is perfectly given in the statement.

1045. Yes, but I mean what rate the City ratepayers have to pay in respect of these services which are represented by this $2\frac{2}{5}$d.?—(*Mr. Dickinson.*) I think it would be better before saying that to have the statement of the City as to what they do pay. Our figures are prepared upon the best information we have.

1047. (*Mr. Smith.*) If some of these are paid out of the City funds it would be very difficult to make out the rate?—Very difficult.

1048. (*Mr. Crawford.*) Then you would also have to consider in order to be fair the question of the police?—(*Mr. Harrison.*) That is quite separate from the 233,673*l.* 11*s.* 4*d.*, paid by the metropolitan ratepayers. I see that 12,052*l.* 6*s.* 1*d.* was repaid by the Commissioners of Sewers for that year, and 22,147*l.* 11*s.* 9*d.* paid out of the corporation estates.

1049. What figures are you quoting from now?—Page 59, Statement I.—(*Mr. Dickinson.*) Then I was just saying that the income of the council amounts to 2,401,081*l.* 19*s.* 7*d.* There are certain payments we have to make out of that under the Local Government Act: "Out of the receipts from the "Exchequer contributions certain payments have to "be made in the first instance. They were as "follows:—

	£	*s.*	*d.*
"Teachers in poor law schools -	12,981	15	9
"Public vaccinators - -	3,012	16	0
"Pauper lunatics - -	84,806	17	9
"Poor Law medical expenses -	36,732	19	11
"Registrars of Births and Deaths - -	581	16	11
"Salaries of poor law union officers - - -	1,268	16	5
"Sanitary officers - -	1,343	16	0
"Technical education - -	472	17	4
	£141,201	16	1"

And then we also have to make payments to the guardians of the poor, which in 1892–3 amounted to 326,808*l.* 16*s.* 8*d.* As I pointed out, that is merely a system of equalization, because the result is that it is collected from the rich unions and paid to the poor unions. That is practically not an expenditure by our hand, although it comes into our accounts.

1050. (*Lord Farrer.*) With regard to the whole of these sums which we are now treating of, you are merely the hand to transfer them; you have no sort of control over them?—Yes; and of course we have no sort of control over the sum payable to the Metropolitan Police, because that is handed over without even coming to us. As I state in a note at the bottom of the page: "The amount received by the Council "from the Exchequer contributions is the balance of "the total sum allocated to the county after deducting "the sum payable to the Metropolitan Police and the "cost of the revising barristers. The total sum "allocated in 1891–92 was 1,097,668*l.*, and the "above-mentioned deductions amounted to 474,771*l.*" The balance of that coming to us and then having to be dealt with as I have said.

1051. (*Mr. Smith.*) That does not reach you?—That does not reach us at all; the rest of it reaches us and then we have to pay out of it the payments I have mentioned, and then we have to deal with a very small balance—it is really a very small balance compared with other counties. Then I give you, under the general heads of the expenses, the expenditure of the year, amounting in all to 1,874,392*l.* 3*s.* 3*d.* I put in two columns the expenditure for general county purposes and the expenditure for special county purposes. Then as regards the capital expenditure of the Council, that, of course, is very great. I have put it as shortly as possible. We have to borrow under our Acts of Parliament, which are passed every year. Under these Acts we obtain power to expend capital money and to borrow money up to the end of the year, or rather up to the end of the six months after that, and if in the meantime we have not got a new Act of Parliament, giving us power to expend on capital account and to borrow the money, we should have no powers at all till the following year. That is under the Act of 1869. The unexhausted powers are renewed every year, so that it is practically the Money Act that gives us the power every year. Consolidated stock has been issued by the Metropolitan Board of Works and by the Council; of this there are three classes, a $3\frac{1}{2}$ per cent., a 3 per cent., and a $2\frac{1}{2}$ per cent., which is the present stock which we are now issuing. The average prices vary according to the class of the stock; the $3\frac{1}{2}$ per cent. varied in different years from 94*l.* 14*s.* 10*d.* to 102*l.* 2*s.* 7*d.*; the 3 per cent. varied from 94*l.* 19*s.* 4*d.* to 100*l.* 9*s.*; and the present price at which we have just issued a $2\frac{1}{2}$ per cent. is 90*l.* 1*s.* 1*d.* That was last Tuesday. Mr. Harrison tells me that that works out 2*l.* 18*s.* per cent. to the investors. We borrow at 2*l.* 18*s.*

1052. (*Chairman.*) That is exclusive of the bonus on redemption?—(*Mr. Harrison.*) Yes. (*Mr. Dickinson.*) I think we had better get that calculated out properly.

1053. It makes a very material difference?—I cannot say at this moment, but the figures on my paper are correct. Then I have stated what the position of the outstanding debt of the Council is. The total debt outstanding amounts to 31,421,323*l.* 9*s.* 4*d.*, against that, of course, we have 10,297,695*l.* 8*s.* 2*d.* of loans advanced to local authorities, and surplus land and property estimated at 2,274,885*l.* 6*s.*, which brings out a total, with a few other items, of 13,378,572*l.* 6*s.* 9*d.*, which leaves our net liabilities at 31st of March last at 18,042,751*l.* 2*s.* 7*d.*

1054. (*Mr. Smith.*) You lend to the School Board, do you not?—We lend to the School Board and the Asylums Board.

1055. And all the local authorities?—And all the local authorities now. The consolidated loan fund is a system that was inaugurated in 1869, under which we have to pay into a fund a certain amount every year raised from rate, which amount is subject to the sanction of the Treasury; we have to pay in what the Treasury thinks is necessary to enable us to redeem the whole of the stock within what we call 60 years from the date of its issue, which really means a certain period generally slightly under 60 years; for during about 10 years we issue the same stock, therefore, what in one year we issue at 60 years the next year we should only be able to issue at 59 years, the next at 58, and so on until we got to an issue very often which we could only spread over about 50 years, and then we have to go in for a new stock.

That is really one of our difficulties in regard to our finance.

1056. That has no reference to the length of the particular loan?—(*Mr. Dickinson.*) It affects our annual payment; we have to spend the same amount for 50 years which ought to be spread over 60 years.

1057. (*The Secretary.*) Do you mean that your money is borrowed for 50 years, but you pay on the 60?—Whatever we do with money in the consolidated loans fund, must be done in such a way that the money is repaid before it is wanted for the redemption; that is what the Treasury sanction is practically wanted for.

1058. (*Lord Farrer.*) You have never come to the period of paying off a loan, have you?—The first time will be in 1929.

1059. Has it been at all considered what is to be done then?—The finance committee have been considering that question; I have no doubt we shall have to bring some proposal before the Council shortly.

1060. (*Mr. Smith.*) Do you borrow any money temporarily on mortgage?—We borrow constantly temporarily from the Bank.

1061. (*Chairman.*) You have power to issue bills?—We have power to issue bills, but we have never exercised that power, it has never been considered so useful.

1062. (*Mr. Smith.*) You borrow from the Bank pending the issue of stock?—Yes.

1063. You can apply money put aside for your sinking fund?—(*Mr. Harrison.*) Yes, provided we bring it back within the time. (*Mr. Dickinson.*) We can borrow temporarily from the consolidated loans fund. The position of the consolidated loans fund is very shortly put before you at page 12. It is a little difficult to explain this table, because if you will notice we have had to put in the receipts 4,115,635*l.* 14*s.* 0*d.*, which is repayment of money which has been lent out from the consolidated Loans Fund, and this must be borne in mind in considering the payments which have been made out of the Consolidated Loans Fund, viz., "Loaned to local bodies, 7,738,560*l.* 2*l.* 2*d.*" These two figures have to be taken in conjunction. There has been received into the Consolidated Loans Fund, 13,528,118*l.* 15*s.* 6*d.*, and there has been practically used out of it 13,491,768*l.* 18*s.* 7*d.*, all of which will have to come in, and will come in before it is required for the redemption of stock, leaving the small balance at the present moment of 36,349*l.* 16*s.* 11*d.*, which is in the Consolidated Loans Fund. Then I have given a short page about the Council's business that you may see how it is conducted. We meet every week regularly, every Tuesday except in the recesses. The Committees are meeting every day and every week. I have given you the numbers of Committee meetings, that you may see how far the work extends. All the work of the Committees is defined by a code of references and Standing Orders, which we can present to you. And then I have given, for your information, a statement as to the staff, and I have had made up—we can, of course, only estimate it—the amount of money which we pay in the year in salaries and wages, amounting in all to 413,752*l.* 16*s.* 4*d.* That includes everything, all the county asylums, coroners, and everybody. Then, as I say, the control of the staff is delegated to the Committees as a rule, but nobody can be employed, or discharged, or their pay changed, without the Council really knowing of it. I ought to have made this exception though: that rule does not apply to the Asylums Committee, which stands in a statutory position.

1064. (*Mr. Crawford.*) A statutory committee appoints the officers. I presume?—A statutory committee appoints the officers. The Asylums Committee practically appoints all its officers; it carries on its own work. (*Mr. Harrison.*) We have to honour their cheques; we cannot question anything. (*Mr. Dickinson.*) It is not quite correct to say that; all capital expenditure, the building of a new asylum comes before the Council.

1065. The question of repairs is done by the Committee?—Yes, it is called the Visiting Committee.

1066. (*Mr. Smith.*) It is a statutory committee in the same way that the Watch Committee is a statutory committee?—Yes; I also mention the Joint Committee, but it has little work to do in London, because it has not got the police as in other counties. It consists of nine members of the Council, and nine of the justices of the county of London, and the expenditure of that committee is charged over the whole county, including the City.

1067. Does that joint committee appoint its officers?—That joint committee appoints a clerk of the peace and other officers. And I thought we ought not to omit the Technical Education Board. The Commission know that the Council has appointed a Technical Education Board under the Technical Instruction Acts, 1889–91, and the Local Taxation (Customs and Excise) Act, 1890, to which it has delegated its powers of technical education. The Council has devoted for the purposes of the board 30,000*l.* last year, and 57,000*l.* in the present year. The board consists of 35 members, of whom 20 are selected from members of the Council itself, 13 nominated by other bodies, and two chosen by the Council from outside its own membership.

1068. (*Lord Farrer.*) Practically that board will have the control of the funds which the Council give to it?—The Council appoints that board annually. The Council votes a certain amount, and the board deals with it.

1069. (*Mr. Smith.*) It brings up an estimate of a certain sum, and it has to keep within it?—Yes.

1070–1. (*Lord Farrer.*) The Council does not go into the details of the expenditure?—We have not done it. Then I just call your attention to the appendix, in order that you may know how to consider it. It is rather difficult to divide our work, but we have divided it among the various committees, and under the various committees you will find everything that is stated in the preamble referred to in detail, with the Acts of Parliament in the margin which refer to it. It has been a matter, I may say, of very great difficulty to tabulate it; that is really the reason why we have had rather a delay in delivering this statement, because everything had to be checked, and every Act of Parliament had to be turned up. This is really a resumé of our powers, in a form in which it has never been attempted before. May I just say that as regards statement No. II. there may be a few errors in it, and I should like, if possible, to send you another copy.

1072. (*Mr. Crawford.*) Has there been an answer given to the suggestion which I made, as to whether these statements may be supplied to the City. The form is so good that I think it would be very useful?

1073. (*Chairman.*) You have no objection?—We have no objection.

1074. You would like it to be accompanied with a caution that it is not to be made a reason of hindrance?—(*Mr. Harrison.*) Yes.

1075. (*Mr. Crawford.*) May I go a step further, and ask whether you would kindly let the City have a dozen copies?—(*Mr. Dickinson.*) Certainly we will.

1076. It affects certain departments?—(*Mr. Harrison.*) It will be understood, of course, that you will not communicate those beyond your own offices.

The witness withdrew.

Adjourned.

FOURTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 28th July 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. R. D. HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, *Secretary*.

Mr. C. Harrison and Mr. W. H. Dickinson.

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MR. CHARLES HARRISON, Vice-Chairman of the London County Council; and MR. W. H. DICKINSON, Deputy-Chairman of the London County Council, called in and further examined.

1077. (*Chairman.*) You have had before you the evidence which Mr. Rotton, of the Local Government Board, gave us at two of our sittings? — (*Mr. Dickinson.*) Yes.

1078. You have had opportunities of examining that?—Yes.

1079. And you are prepared to supplement it where it may be deficient, or to correct any mis-statements that he may have fallen into?—Yes, we have prepared our remarks upon his statement.

1080. Your evidence will be highly valuable as to facts within your own knowledge, but you may possibly have some corrections with respect to the City, which we should primarily look to the City authorities to correct?—Yes, we have first noted on this statement which we have handed to you certain questions with regard to information respecting the City which we think require some correction; and then we have gone on to information on the next page, that we ourselves can vouch for.

1081. We asked Mr. Rotton to describe what was the early organization outside the City, and he told us, in question 60, there was nothing but country parishes?—That was rather a general observation. They were more than country parishes; they were a collection of townships, of manors, of extra-parochial places and parishes.

1082. With respect to commissions outside the City, you have to say that there were some commissions?—Yes, there were some commissions.

1083. You are enabled to tell us what is the maximum number of a vestry?—Yes, it is 120; no vestry can have more than 120 members.

1084. Is that reached in many cases?—Oh, yes, in several.

1085. Is there any question as to enlargement at any time beyond that?—No, they cannot be enlarged beyond that. They vary up to that number, 12 for each thousand, as Mr. Rotton states.

1086. Any desire?—Oh, no; in my own opinion 120 is too many.

1087. Then as to questions 70 and 74?—We there draw your attention merely to the wording. Mr. Rotton states that it was the smaller and the bigger parishes which were taken into consideration in dividing the metropolis into parishes and district boards.

1088. That the smaller parishes were grouped and the larger parishes were left to themselves?—Well it was not the smaller parishes, the parishes that were smaller in respect of size only, but those that were smaller in respect of rateable value and of population too; they were all divided together, and a calculation made, and upon that calculation they were divided.

1089. (*Mr. Smith.*) All the important parishes?—Yes, the size does not vary, the population does.

1090. (*Chairman.*) It is not a question of area, but of importance?—It was a question of population and rateable value and area combined.

1091. (*Mr. Crawford.*) Was it more rateable value than population?—No, it is a calculation made upon those three data, and then divided accordingly.

1092. (*Lord Farrer.*) All three data enter?—Yes.

1093. Area, population, and rateable value?—Area, population, and rateable value; yes.

1094. (*Chairman.*) You cannot give any exact formula?—No, it is a formula which we have to act upon now and then when we divide parishes into wards.

1095. You have to pay regard to all these three, but the exact value you attach to each one of them you do not say?—We refer to the Statistical Officer to make a calculation, and he says according to this calculation what should be the exact number of members to each ward; and then we exercise our discretion, and divide it more or less approximately.

1096. (*Lord Farrer.*) Has he any formula to guide him?—Yes, he makes a formula, and he combines these three figures.

1097. The different cases he combines according to some given rule, does he not?—Yes.

1098. When he makes his report to the Local Government Committee?—He makes his report with mathematical accuracy.

1099. And he combines area, population, and rateable value, according to fixed rules in his department?—Yes. Mr. Gomme, of the Statistical Department, will explain the process more accurately than I can.

The witnesses withdrew.

Mr. G. L. Gomme.

MR. GEORGE LAURENCE GOMME, Statistical Officer of the London County Council, called in and examined.

1100-4. (*Chairman.*) Perhaps you would tell us first who you are?—I am the statistical officer of the Council.

1105. How do you make up these elements in considering the division into wards?—We take the number of rated householders from the last rate made. Supposing we were calculating now at the present time, we should take the April rating, and we should take from the rate books the exact number of householders who paid rates or who were liable to pay rates. That is to say, supposing a man had three houses, he would count as one rated householder; on the other hand, supposing a house were occupied by five different people in different tenements, that would count as five rated householders.

1106. (*Lord Farrer.*) If they paid rates themselves? — Well, whether they paid rates or not, it they were liable to pay rates, they are still rated householders.

1107. (*Chairman.*) Is it a question of their being personally liable, or there being a liability to be rated in respect of these occupations?—If the landlord

actually pays, still the tenants are taken as the rated householders, because the rate is included in their rent, that is the rule in the parishes.

1108. (*Mr. Smith.*) And they are on the rate book?—They are on the rate book; there is a column where the names of these people come in.

1109. (*Chairman.*) Yes, but they are not, strictly speaking, the persons who pay rates themselves?—They are not the ratepayers, they are the rated householders in the technical sense of the term.

1110. What formula do you use in giving the valuation of these sub-tenants?—Having ascertained the number of vestrymen properly to be apportioned to the parish on the lines laid down in the Act of 1855, we first apportion the number according to rated householders, and then, according to rateable value, we then take the mean of the two, and that brings out a certain figure, and then the nearest figure that is divisible by three is taken as the proper apportionment of the vestrymen upon each ward.

1111. Let us understand what you mean by saying "we take the mean of the two." I will give you an illustration, supposing you had got two districts, one of which has got double the number of population of the other?—Are you dealing now with the vestry or the district board? There are slightly different calculations in either case. For a vestry we only take the rated householders and the rateable value; for the district board we take the rated householders, the population, and the rateable value.

1112. Take the case where you only consider the two elements of rated householders and rateable value, and you have got two districts, this having double the number of rated householders of its neighbour, but the same rateable value. What is the relation of representation?—It would scarcely be two districts; it would be two wards of one parish.

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1113. Very well. These districts, in a technical sense—I mean two contiguous areas?—Supposing the total number of vestrymen to be allotted to your parish were 60, you would apportion that 60 in the same proportion as the number of rated householders in the two contiguous areas; therefore, one would have double the other according to rated householders. Then, if you came to rateable values, and they were equal, they would have the same,—that is to say, 30 each. Then you would add these two together, and take the mean result to find the number that each ward should have.

1114. According to one system it would be 40 and 20?—Yes.

1115. According to the other, 30 and 30?—30 and 30.

1116. Therefore you would add 40 and 30, making 70—taking the half, 35; and add 20 and 30 = 50, and take the half, 25?—That is so; only that, having got your 35 and 25, you would then take the nearest figure that was divisible by three—because the elected vestrymen have to go out one-third each year, and you must have a figure divisible by three.

1117. So that you would take 36 and 24?—36 and 24.

1118. And if you had three elements to take into consideration, you would, in the same way, take the mean of the three?—Exactly in the same way.

The witness withdrew.

Mr. W. H. Dickinson and Mr. Charles Harrison recalled and further examined.

Mr. W. H. Dickinson and Mr. C. Harrison.

1119. (*Lord Farrer.*) Mr. Dickinson, what is the exact power of the Council in dividing wards? Can they divide any parish on the application of the parish?—They can divide any parish into wards on the application of the parish; but when that is once done they cannot divide it again.

1120. They are *functi officio*?—Yes, their power becomes defunct; and we are bringing in a Bill this year to enable us to re-divide.

1121. There have been applications, I think?—There have been several applications for varying the divisions afterwards.

1122. (*Chairman.*) You have to make a correction as to the number of vestries and district boards in the metropolis?—Yes, the real numbers are 26 vestries and 13 district boards, and one local board, the Local Board of Woolwich.*

1123. (*Mr. Crawford.*) Is that a recent alteration in number?—Well, I presume Mr. Rotton's mistake was owing to the fact that there has been an alteration three years ago. Westminster was altered, and Battersea and Wandsworth were altered, and Hammersmith and Fulham. The present result is 26 vestries, 13 district boards, and one local board. That makes 40 altogether; and then, in addition, there are eight small extra-parochial places, and then, in addition to that, of course the Commissioners of Sewers in the City.

1124. (*Lord Farrer.*) The Council have no power to alter the divisions of parishes, have they—to alter the areas of parishes?—No, not to alter the boundaries of parishes; they can define wards.

1125. Within parishes?—Within parishes.

1126. (*Mr. Smith.*) The Divided Parishes Act does not apply to the metropolis?—I cannot say; I do not think it does apply to the metropolis at all.

1127. (*Lord Farrer.*) Is there not power under the Act to take a case before the Local Government Board—to bring a case of boundary of a parish before the Local Government Board?—Yes, there is. We can do that in every case. We have stated that on page 29. We can "represent to the "Local Government Board the desirability of the "alteration of boundary; of the union of county "boroughs with the county; of the union of any "counties or boroughs or the division of the county; "of the alteration of boundaries of electoral divisions, "or of the number of county councillors and "electoral divisions; of the alteration of any area "of local government partly situate in the county."

1128. (*Mr. Crawford.*) That is under the Local Government Act?—That is under the Local Government Act.

1129. (*Chairman.*) That is a general power of all county councils?—That is a general power of all county councils—to represent to the Local Government Board; but I understood Lord Farrer's question was whether the London Council could do this by itself.

1130. Take such a case as this, which might be dealt with under the Divided Parishes Act. Have you any power of making a representation in regard to the part of Chelsea, which is wholly detached—Kensal Green?—Oh, yes, under this, I think, we should.

1131. Under those words?—We are at the present moment making an application for an alteration of the boundary of Hornsey.

1132. Does that deal with a totally separate part?—That is a separate part; that is outside London. There is a portion of Hornsey which is geographically inside London, and we wish to put it inside London for all purposes, and there is a portion of London geographically in Middlesex which we want to put into Middlesex for all purposes.

1133. That is an alignment of an existing boundary?—That is an alteration.

1134. Here is a detached portion of a parish, wholly detached—the one I submitted to you—the outlying part of Chelsea?—I think it would come under a section of the Local Government Act.

* *See* Rotton, 89.

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1135. Which sections are you dwelling upon?—Section 54 and section 57. "Whenever it is represented by the council of any county to the Local Government Board, that the alteration of any area of local government partly situated in their county is desirable, the Local Government Board shall, unless for special reasons they think that the representation ought not to be entertained, cause to be made a local inquiry, and may make an order for the proposal contained in such representation or for such other proposal as they may deem expedient, or may refuse such order, and if they make the order may by such order divide or alter any electoral division."

1136. (*Mr. Smith.*) I think the words of the Divided Parishes Act are not precise; they deal with distinct parts of parishes, outlaying parts of parishes, I think—that Act that I am alluding to?—Section 57 is: "Whenever a county council is satisfied that a *prima facie* case is made out as respects any parish, for a proposal for all or any of the following things, that is to say:—(*a*) the alteration or definition of the boundary thereof, (*b*) the division thereof or the union thereof, with any other parish or parishes, or the transfer of part of a parish to another parish" and so on "the County Council may cause such inquiry to be made in the locality, and such notice to be given, both in the locality and to the Local Government Board, Educational Department, or other government department as may be prescribed, and such other inquiry and notices (if any) as they think fit, and if satisfied that such proposal is desirable, may make an order for the same accordingly."

1137. (*Mr. Crawford.*) The order has to be confirmed in every instance, has it not, by the Local Government Board?—Oh, yes, that order has to be confirmed.

1138. (*Chairman.*) By a provisional order?—By a provisional order.

1139. (*Lord Farrer.*) And that extends to boundaries of the counties themselves, does it not?—The boundaries of the counties come under section 54, when the alteration of the boundary of any county is desirable—54 is the future alterations of counties, and 57 is the future alterations of districts and parishes and wards.

1140. (*Mr. Crawford.*) And then you will find a saving power to the Local Government Board, under sub-section 7 of section 57?—Yes. "This section shall be in addition to, and not in derogation of any power of the Local Government Board in respect of the union or division or alteration of parishes."

1141. (*The Secretary.*) That provisional order would have to be confirmed by Parliament?—Yes.

1142. (*Chairman.*) Next, in Questions 124, 125, 126, we understood from Mr. Rotton that the administrative county of London never went outside the metropolitan police area?—The police district is not a circle of 15 miles.

1143. It is an irregular line?—It is an irregular line varying with boundaries of certain parishes within 15 miles, and we can let you have a map showing the police area if you desire it.

1144. But the important question was, whether the administrative county ran at any points beyond the police area?—Oh, at no place, no.

1145. (*Mr. Smith.*) I think Mr. Rotton, in answer to a question by me (Question 134), explained:—(*Q.*) "Fifteen miles regulated by the parish boundary?—(*A.*) Yes." ?—Yes, just so.

1146. (*Chairman.*) The question was raised as to whether certain powers to make bye-laws had been exercised (Question 225), Mr. Rotton said, "whether the bye-laws have been sealed or not, I do not remember, but they have been exercised, or are being exercised"?—They have been actually sealed, on the 28th of June, 1893. We have a copy which I shall supply.

1147. Mr. Rotton gave evidence on the 9th of June, 1893?—In Question 220 there is a verbal alteration I would point out to you; it is an omission of the word "not."

1148. "In matters relating to sewers," instead of "in matters not relating to sewers"?—Yes.

1149. Question 229—what have you about it?—I only wish to remove a possible misapprehension. The question is, "And have they been appealed to on the ground of default?" Mr. Rotton says, "I believe not." As a matter of fact, we have taken action in one case, in regard to Rotherhithe, though I do not think we shall have to take any farther action in the matter, because what have been done has been sufficient We have carried out the provisions of this Act to a very great extent already.

1150. (*Lord Farrer.*) The mere fact of the knowledge that the power exists is very often sufficient to get the thing done?—Yes; that is practically where our strength lies in this matter. We have succeeded in obtaining action. From the 1st January 1892 to the 30th June 1893 we have dealt with 1,068 cases of complaints which have all been rectified without taking any further action.

1151. Those are since the Act, are they?—Yes; that is since the Act; the possibility of taking action in cases of default that has been given to us under the Public Health Act, places us in such a position that our requisitions are almost invariably carried out.

1152. (*Chairman.*) Question 308, in answer to an inquiry by Mr. Smith, as to the road authorities, Mr. Rotton said, "I do not know whether there were any separate road commissions; it is just possible." Have you exact information on that?—No, I am afraid we cannot go further than to say that there are still some existing. If you would like to have the information, no doubt we could get it.

1153. But you know that there are existing commissions?—Yes.

1154. Mr. Rotton stated that there might be one in Regent Street. Do you know anything about that?—Regent Street stands in a peculiar position, I believe, altogether. I cannot give any information personally about that.

1155. (*Lord Farrer.*) That is a matter that concerns the vestries more than the Council?—Yes. Regent Street was made by the Crown Commissioners.

1156. And paving is no business of the Council excepting in their own streets?—That is so.

1157. (*Chairman.*) Question 355. That is with respect to water supply, apparently—that question?—Yes; section 116 of the Metropolis Management Act does undoubtedly give power to the vestries to sink wells for the water that they require for their own purposes, and it is rather doubtful whether the statement of Mr. Rotton is right. Section 116 is as follows:—"Every vestry and district board shall have full power and authority to cause all or any of the streets in their parish or district to be watered as often as they think fit, and also to cause any wells to be dug and sunk in such public places as they think proper, and also to erect and fix any pumps in any public places for the gratuitous supply of water to the inhabitants of the parish or district." But then there is a proviso in section 150: "Provided always, that nothing herein contained shall authorise the said metropolitan board, or any district board or vestry, to use or permit to be used any such works for the purpose of carrying water by supply pipes into any house or factory for domestic, manufacturing, or commercial purposes." I thought it right to draw your attention to that, because, in Mr. Rotton's evidence rather, there is a doubt on the point.

1158. (*Lord Farrer.*) They may set up a parish pump to be used gratuitously?—Yes, they may do that.

1159. (*Chairman.*) But they could not convey the water from the pump, apparently, to the houses?—They may get the water for their own purposes, and for gratuitous purposes.

1160. Have you anything to say about Baths and Wash-houses?—I think Mr. Rotton was in error in saying that they were in the hands of the Commissioners of Sewers in the City. As I read the Acts the authority to adopt them in the City would be the vestries of the several parishes, but, as a matter of fact, I believe the Acts have not been adopted at all in the City.

1160*a*. Then as to Question 417?—Yes. What I desire to do is rather a correction of Lord Farrer's remark that the County Council never promoted an Order; they did promote a Bill for the tramway over Westminster Bridge.

1161. (*Lord Farrer.*) That was where the bridge belonged to the Council?—Yes; where the Embankment belonged to us.

1162. (*Chairman.*) Question 454, that is, the county asylums. Mr. Rotton gave Hanwell, Claybury, and Colney Hatch?—There are five asylums, really, Banstead and Cane Hill in addition to the three he mentioned.

1163. (*Lord Farrer.*) And it is proposed to make another?—Yes, there is a proposal to make another one.

1164. (*Chairman.*) Then the next question is, what vestries have done in respect of appointing burial boards? Mr. Rotton said that outside the City each vestry appoints the burial board for the parish?—He stated in 456: "Each vestry has, or "may have, I presume, a burial board of its own." It varies very much in different parts of the metropolis. They have not all got burial boards.

1165. (*Mr. Crawford.*) But have they the power to have a burial board?—Yes, they can appoint burial boards.

1166. I mean to say the answer would be correct "has, or may have"?—Yes.

1167. (*Chairman.*) But in Question 455, I think the impression you would have in reading it was that they did it?—Yes, that is so.

1168. The answer to Question 455 says: "The "Commissioners of Sewers are the burial board for "the City, and outside the City, each vestry appoints "the burial board for the parish." More strictly it has the power to do so?—It has the power to do so.

1169. But they have not all exercised it?—They have not all exercised it; and in each case it varies.

1170. (*Mr. Smith.*) That is, power to appoint a board, not to be themselves the burial board?—No; to appoint a board. The burial board is a separate body almost.

1171. We are so accustomed to merge them in municipalities in large towns?—Yes.

1172. (*The Secretary.*) Are they appointed by resolution?—They are appointed by the vestry; elected by the vestry, by resolution.

1173. (*Chairman.*) In the second day, Questions 467 to 471?—Well, we thought that perhaps on these questions of population and acreage it would be well if we handed you a table which gives the areas of all these different parishes, especially as figures seem always to vary. For instance, we have discovered that the area of London according to the census was 20 acres less in 1891 than it was in 1881. It has rather alarmed us, so we should like to check it. We have written to the census authorities to find out how it is.

1174. What London is that?—That is the Administrative County of London, and in Mr. Rotton's answer he talks of the county of London, but, of course he means the Administrative County of London. I thought, if you would allow us, we would hand you that table, and when it is printed perhaps you will allow us to correct it, because that point requires looking into, and we should send you in the accurate figures.

1175. You hand in a table giving the area, rateable value, inhabited houses, and population, according to the last census of the City, the County, the Administrative County, and the extra London Metropolitan Police District?—Yes, compiled from the Census tables of 1891.

	City of London.	County of London.	Administrative County of London.	Extra London Metropolitan Police.						Total City and Metropolitan Police.
				Middlesex.	Surrey.	Kent.	Essex.	Hertford.	Total.	
Area (in acres) - -	671	74,771	75,442	149,046	80,058	42,516	60,466	35,893	367,979	443,421
Rateable Value (1891)	4,100,798	28,998,515	33,099,313	3,259,672	2,022,627	656,465	1,655,035	237,696	7,831,495	40,930,808
Inhabited Houses -	5,340	542,975	548,315	95,088	53,005	17,625	68,448	6,927	241,093	789,408
Population (1891) -	37,705	4,194,413	4,232,118	560,012	295,759	96,716	413,679	35,492	1,401,683	5,633,806

1176. (*Mr. Crawford.*) I suppose that that table does not deal with the day population of the City?—It deals simply with what the census deals with.

1177. (*Lord Farrer.*) Do the county and the Administrative County differ in this respect that the City is included in the Administrative County?—There is the City first, and then we put the County of London outside the City; we add those two together, and that makes the Administrative County.

1178. Quite so?—Mr. Rotton, I fancy, has fallen into error in excluding Penge from the County of London; he says that Penge is not included in the Administrative County of London; he is mistaken. I do not know whether you would like to have maps; we could let you have a map of the police district and maps of the county.

1179. (*Chairman.*) Have you prepared maps for yourselves?—Yes, we have prepared a map of the Metropolitan Police District; we could let you have a copy of it.

1180. We have such maps already?—Oh, you have.

1181. You will put in that map?—Yes, and we will supply you with some copies of it. It shows the Administrative County of London, the area of the Metropolitan Police, and the Central Criminal Court; they all vary. (*Map put in.*)

1182. At Question 508 we were examining Mr. Rotton as to the powers of the County Council outside the City in respect of street frontages and of buildings?—Generally speaking that is accurate, only he omits that we have a power under 25 & 26 Victoria, chapter 102, section 74, under which we can set back buildings projecting beyond the general line when they have been taken down to an extent exceeding one half.

1183. What do those last words mean, "on being "taken down to an extent exceeding one half," when half the house is down?—When half the house is down we can require them to set it back on paying compensation.

1184. What is half the house down—half the base?

1185. (*Mr. Smith.*) Pulled down to half its height, I suppose you mean?—Yes.

1186. (*Chairman.*) You do not mean that, surely—pulled down to half its height?—The words of the Act are as follow:—"In case any build-"ing, situated within any of the parishes, dis-"tricts, or places comprised in the schedules of "the firstly-recited Act, which shall in any part "thereof project beyond the general line of the "street in which the same may be situate, or "beyond the front of the building, wall, or railing "on either side thereof, shall at any time be taken

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" down to an extent exceeding one half of such " building, such half to be measured in cubic feet, " or shall be destroyed by fire or other casualty, or " demolished, pulled down, or removed from any " other cause to the extent aforesaid, it shall be " lawful for the Metropolitan Board of Works to " require the same to be set back to such a line " and in such a manner for the improvement of any " street as the said Board shall direct; provided that " the said Board shall make compensation to the owners " of such building for any damage and expenses " which he may sustain and incur thereby: Pro- " vided also that this section shall not apply to any " building in the places mentioned in Schedule C. " to the Metropolis Local Management Act, which " does not abut upon any public street or place."

1187. (*Mr. Crawford.*) It is a slight extension of the City Sewers Act of 1848?—Yes.

1188. (*Chairman.*) It is very extraordinary that if a man cut off the top of a house he might be required to put it back?—We could compel him to pull down the whole.

(*Mr. Smith.*) You could hardly take away the bottom.

(*Chairman.*) It might be cut down vertically.

1189-91. (*Mr. Smith.*) If the back of it is pulled down to the extent of one-half, you may set back the front?—Yes. I suppose that stands to reason; it is the front that we want to get rid of.

1192. (*The Secretary.*) How would you do that, taking a house between two houses?—It is only when that projects; you cannot attack a house that does not project.

1193. Supposing there were three houses projecting, and one was cut down?—It would be a question whether it did project, a question for the courts as to whether it did project.

1194. (*Mr. Crawford.*) I do not know whether you would care to have the section relating to the City, I can give you that; section 153 of the City of London Sewers Act of 1848.

1195. (*Chairman.*) The corresponding section?

1196. (*Mr. Crawford.*) It does not go quite to the extent of the Metropolis Management Act, 1862?—Does it not, I thought it did; they certainly have the very best powers in the City.

1197. The section is 153, "And be it enacted, " that if any building which shall in any part thereof " project beyond the regular line of the street in " which the same may be situate, or beyond the front " of the building, wall, or railing on either side " thereof, shall at any time be taken down to be " rebuilt or altered, it shall be lawful for the Com- " missioners to require the same to be set backwards " to such a line and in such a manner as the Commis- " sioners shall direct for the improvement of such " street, the Commissioners making full compen- " sation to the owner of such building for any damage " which he may sustain thereby."

1198. (*Chairman.*) The next is Question 505?—In Question 505, Mr. Rotton states: "but in this " case, under Michael Angelo Taylor's Act, the " consent of the justices is not required"?—We have no powers under that Act.

1199. (*Mr. Crawford.*) The powers are in the vestry, really?—The powers are in the vestries and district boards.

1200. (*Lord Farrer.*) And the vestries have considerably stronger powers in taking land than the Council has?—They have in that respect, certainly.

1201. (*Chairman.*) Question 515?—That question and those that follow have relation to a suggestion that Mr. Rotton made that we could take land compulsorily under the Public Health Act, 1875, as incorporated under the Local Government Act. Well, I think there is no doubt that we could, if we chose to go through that procedure, but we have never done so, and I do not think we ever should do so, because our procedure is to introduce an Act of Parliament every year for our improvements. I dare say you know that the procedure under that Act would be very cumbersome indeed; we should have to get a provisional order from the Local Government Board, and go through other preliminaries, and then ultimately have to get an Act of Parliament to approve of that.

1202. You have many of these things every year to undertake, you go for one Bill for all?—Practically every year we bring in a General Powers Bill for our improvements.

1203. In question 550 a question is raised *a propos* of bridges as to whether you had any right of property in Kew Bridge?—Kew Bridge does not belong to us.

1204. (*Lord Farrer.*) Whom does Kew Bridge belong to now?—The counties of Middlesex and Surrey; it was freed out of the coal dues.

1205. Freed out of the coal dues, but maintained by these two counties?—It is maintained by these two counties.

1206. (*Chairman.*) Question 576 is a question by Sir Thomas Farrer as to the gas supply?—The answer to that question would rather lead the Commission to understand that the Council appoints all the gas examiners in London, with the exception of the Corporation, of course; but there are four other smaller gas companies, there is the Putney and Wandsworth, the Mitcham Gas Company, the Crystal Palace, and the Brentford.

1207. (*Lord Farrer.*) Those are not subject to the London Gas Acts, are they?—The examination of the gas is undertaken by men who are appointed by the vestries and the district boards.

1208. Quite so, it is with regard to these three companies, is it not, the Chartered, the South Metropolitan, and the Commercial, that the system of gas referees and gas examiners applies?—That is so; it is correct as far as it goes, but it does not quite complete the subject.

1209. (*Chairman.*) You have to say there are four other small companies with respect to which the vestry is the local authority to test the gas?—Yes, those are companies that supply both in the county and outside the county as well; they are on the boundary of the county rather.

1210. And do you know whether they do exercise the power?—Oh, yes, they do; at least in the one case that I am practically acquainted with, the Wandsworth Company, the gas inspector always reports once a fortnight to the district board.

1211. To the company; being appointed by the vestry?—He is appointed by, and he reports to, the district board.

1212. (*Lord Farrer.*) Those companies are not included in the London District Acts and the other Acts which we generally know as the London Gas Acts?—(*Mr. Harrison.*) The clauses were in the Gas Acts of those particular companies; it is not a general Act; they were provisions inserted on the opposition of the Metropolitan Board of Works.

1213. (*Chairman.*) Then in Question 593 the same point arises?—(*Mr. Dickinson.*) Yes, and is subject to the same qualification.

1214. There is no correction in fact to be made?—(*Mr. Harrison.*) No.

1215. Question 635 is your next?—(*Mr. Dickinson.*) Mr. Rotton states there, "The great works of " sewerage which were done by the Metropolitan " Board of Works, were done under special Acts for " the most part." That was not so, they were done under the Act of 1855, the Metropolis Management Act, which gave them authority, and the Act which succeeded it too, to carry out the works which were necessary for freeing the Thames from all sewage; to prevent all sewage running into the Thames.

1216. (*Lord Farrer.*) Without specifying the particular works?—Without specifying the particular works at all, without any plans or estimates at all; they had simply to get rid of the sewage in the best way that they could, and had power to take land compulsorily with the authority of the Secretary of State, and that is a power which we still exercise.

1217. (*Mr. Crawford.*) And had not the Metropolitan Board of Works special Acts besides that general Act?—With regard to sewage?

1218. Yes?—No, I do not think they thought it necessary to get a special Act.

1219. (*Lord Farrer.*) The Council are now making two large new main sewers, one on the north and one on the south of the Thames?—Yes, plans are being got out for them.

1220. That will be done under those powers?—That will be done under those powers.

1221. Without going to Parliament for any special powers?—Without going to Parliament for any special powers.

1222. Except for the purpose of borrowing?—Except for the purpose of obtaining the money in the ordinary way every year. I would read you the clause: "Provided always, that the provisions of "the said Lands Clauses Consolidation Act, 'with "'respect to the purchase and taking of lands other-"'wise than by agreement,' shall not be incorporated "with this Act, save for enabling the Metropolitan "Board of Works to take land or any right or ease-"ment in or over land, for the purpose of making "any sewers or works, for preventing the sewage or "any part of the sewage within the metropolis from "passing into the Thames, in or near the metropolis, "or otherwise for the purpose of the sewage or "drainage of the metropolis: Provided also that no "land, or right, or easement in or over land, for the "purposes aforesaid shall be taken compulsorily by "the said Board without the previous consent in "writing of one of Her Majesty's principal Secretaries "of State." That lays down a procedure which we still adopt in the Council for main drainage works.

1223. (*Mr. Smith.*) It gives you all the powers of the Lands Clauses Act?—Yes.

1224. (*Mr. Crawford.*) Were you reading from the Act of 1855?—Section 152 of the Metropolis Management Act of 1855.

1225. Did not the Metropolitan Board of Works get some additional powers by the Main Drainage Act of 1858?—Yes, the next year they got further powers, but I do not think it affected this point.

1226. Mr. Rotton may have been referring to those two Acts probably, the 1858 and 1862 Acts?—Yes, probably.

1227. (*Chairman.*) Then your next observation refers to several questions as to the power and operation of a rate?—Yes, on Question 706.

1228. Between the county and the parishes?—Mr. Rotton first makes the statement that the county rate outside the City is levied through the overseers. Well, that is a general statement which is both correct and incorrect. Of course, the county rate is levied by us through the guardians, and then they levy it through the overseers, although the overseers vary in the different parts. Perhaps, if I may just read a note that I have made on this, it would state fairly what the accurate position of affairs with regard to the county rate is, because that affects all these Questions, 706 to 724. The county rate, as made upon the parishes, does not vary, but as empty property and property in respect of which overseers compound for the payment of rates, vary considerably in the different parishes, it results that, to meet a central rate of 1*s.* in the £, it may be necessary to levy a rate of 1*s.* 2*d.*, or more, or less. Therefore to this extent there may be local variations in regard to the central rate. That is in answer to the statement that the county rate does not vary. Of course, the rate which we make does not vary, but when it is collected it does vary in different parts of London. The Council do not deal with the overseers, but with the guardians of the poor, and it is the guardians who send down their contribution orders not only for their own expenses but for the parish contribution to the County Council expenses to the overseers of each parish. The overseers, or the body equivalent to them, are the ultimate rating authority in all London, but the Council have no connexion with the overseers in respect of their precepts unless default occurs in payment. The answer to question 712, therefore, is inaccurate. [A list of the bodies to whom the Council's precepts are sent is attached]:—

TABLE showing the Local Authorities in London through and by whom the Council's levy of the County Rate is collected:—

Bodies on whom the Council's Precepts are served, and who pay the Precepts. (1.)	Bodies who collect the Amount of the Precepts, paying them over to the Bodies in Col. 1. (2.)
Guardians of Bethnal Green Parish.	Overseers of Bethnal Green.
Guardians of Camberwell	Overseers of Camberwell.
Guardians of Chelsea	Guardians of Chelsea.
Guardians of Hampstead	Vestry of Hampstead.
Guardians of Islington	Vestry of Islington.
Guardians of Kensington	Vestry of Kensington.
Guardians of Lambeth	Overseers of Lambeth.
Guardians of Mile End Old Town.	Overseers of Mile End.
Guardians of Paddington	Vestry of Paddington.
Guardians of Penge	Overseers of Penge.
Guardians of St. George in the East.	Trustees of St. George's in the East.
Guardians of St. Giles and St. George.	Vestry of St. Giles and St. George.
Guardians of St. Marylebone	Vestry of St. Marylebone.
Guardians of St. Pancras	Directors of the Poor of St. Pancras.
Guardians of Shoreditch	Vestry of Shoreditch.
Guardians of the Fulham Union.	Overseers of Fulham. Overseers of Hammersmith.
Guardians of the Greenwich Union.	Overseers of Deptford St. Nicholas. Overseers of Deptford St. Paul. Overseers of Greenwich.
Guardians of the Hackney Union.	Trustees of Hackney. Overseers of Stoke Newington.
Guardians of the Lewisham Union.	Overseers of Eltham. Overseers of Lee. Guardians of Lewisham.
Guardians of Poplar Union	Guardians of Bow. Trustees of Poplar. Overseers of Bromley
Guardians of St. George's Union.	Vestry of St. George's. Vestry of St. Margaret and St. John. Overseers of St. Peter.
Guardians of St. Olave's Union	Governors and Directors of the Poor of Bermondsey. Governors and Directors of the Poor of Horselydown. Overseers of Rotherhithe. Overseers of St. Olave. Overseers of St. Thomas.
Guardians of St. Saviour's	Overseers of Christchurch. Governors and Guardians of Newington. Overseers of St. George the Martyr. Overseers of St. Saviour's.

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Bodies on whom the Council's Precepts are served, and who pay the Precepts. (1.)	Bodies who collect the Amount of the Precepts, paying them over to the Bodies in Col. 1. (2.)
Guardians of Stepney Union -	Overseers of Limehouse. Churchwardens, Overseers, and Trustees of Ratcliffe (Hamlet). Overseers of Shadwell. Overseers of Wapping.
Guardians of Strand Union -	Overseers of Liberty of the Rolls. Overseers of St. Clement Danes. Overseers of St. Martin in the Field. Overseers of St. Mary-le-Strand. Overseers of St. Paul, Covent Garden. Overseers of Precinct of the Savoy.
Guardians of Wandsworth and Clapham Union.	Overseers of Battersea. Overseers of Clapham. Overseers of Putney. Overseers of Streatham. Overseers of Tooting Graveney. Overseers of Wandsworth.
Guardians of Westminster Union.	Overseers of St. Anne. Vestry of St. James.
Guardians of Whitechapel Union.	Overseers of Aldgate. Overseers of Christchurch. Overseers of Mile End New Town. Overseers of Minories. Overseers and Trustees of Norton Folgate. Overseers of Old Artillery Ground. Overseers of Old Tower. Overseers of St. Katherine. Trustees of Whitechapel.
Guardians of Woolwich Union	Overseers of Charlton. Overseers of Kidbrook. Overseers of Plumstead. Local Board of Woolwich.
The Treasurer and the Overseers of Gray's Inn.	The Steward of Gray's Inn.
The Treasurer and the Overseers of Lincoln's Inn.	The Treasurer of Lincoln's Inn.
Guardians of Holborn Union -	Guardians of Clerkenwell. Overseers of the Charterhouse. Overseers of Saffron Hill. Governors and Directors of St. Andrew and St. George. Vestry of St. Luke. Overseers of St. Sepulchre. [The owners of Staple Inn pay all rates. The owner of Furnival's Inn pays all rates.]
Guardians of the City of London Union.	Overseers of Glasshouse Yard. [The owner of Furnival's Inn pays all rates.] Overseers of the several parishes in the City of London.
The Treasurer and the Overseers of the Inner Temple.	[No rates are levied in the Inner Temple, being all paid by the Society.]
The Treasurer and the Overseers of the Middle Temple.	[No rates are levied in the Middle Temple, being all paid by the Society.]

1229. You hand in that list?—We hand in that list. That shows you exactly the local authorities in London through and by whom the Council's levy of the county rate is collected.

1230. You address your orders to the guardians of the several unions and to the treasurer and overseers of the extra-parochial areas of Gray's Inn and Lincoln's Inn?—That is so, yes.

1231. The Inner and Middle Temples? — That is so.

1232. And then it passes through these guardians to the overseers or vestries of particular districts?—Yes, it passes through the persons or corporations who are the overseers, and these vary very greatly indeed. You will see, for instance, the persons who collect the rates in Bethnal Green are the overseers of Bethnal Green, and also in Camberwell; but in Chelsea it is the guardians, and in Hampstead it is the vestry, and in Islington it is the vestry, and in Kensington it is the vestry.

1233. St. George's in the East certain trustees?—Certain trustees.

1234. St. Pancras, directors of the poor?—Directors of the poor of St. Pancras.

1235. All those are under local Acts?—They are generally under local Acts.

1236. Then you come to these legal islands; they are the treasurers or the stewards?—Yes. Before the Local Government Act was passed the Metropolitan Board of Works used to collect their money from the district boards, and therefore it made a great change in the collection of rates, because we have to collect it through the guardians.. And, as Mr. Harrison reminds me, it had a very important effect on the incidence, because originally the Metropolitan Board of Works' rate was called a sewers rate, and was subject to deduction by the landlord, and now it is no longer a sewers rate at all; it is a poor rate, and subject to no deduction of any kind.

1237. (*Mr. Smith.*) Like a borough rate?—Yes.

1238. (*Lord Farrer.*) Was there actually, in the time of the Metropolitan Board of Works, a deduction made? — (*Mr. Harrison.*) Oh, yes; the metropolitan consolidated rate was required by the statute to be made in three portions: the general rate, the sewers rate, and the fire brigade rate; and it was required to be satisfied in these proportions. The fire brigade rate was limited in the amount which could be levied, and the certificates were given by vestries, and were bound to be given by vestries to tenants who applied, for the purpose of certifying how much was deducted from the rate for the sewers rate, so that they could deduct it afterwards from the landlord.

1239. So that they could deduct it? — Oh, yes; and in an immense number of cases; 7,000 certificates were granted per annum. Then the Act abolished the rate levied by the Metropolitan Board of Works, and converted it into a county rate, altering the incidence of the rate, because it was levied as a poor rate.

1240. There has been some talk about that in the House of Commons? — Yes. Mr. Ritchie had promised to introduce a Bill.

1241. That Bill was never introduced?—Never.

1242. (*Mr. Smith.*) It is a common covenant in London leases that the tenant should pay all rates, including sewers rate?—Yes, no doubt; but there is a great number of three-years' agreements which do not follow that form; and not only that, but if the occupying lease has not been granted in modern days, it does not contain that, as a rule, particularly in the old ground leases. London was not built up in a day. The old ground leases expressly used to run in that form: land tax, sewers rate, and tithe always excepted.

1243. (*Chairman.*) You have something to say also about the School Board rate?—(*Mr. Dickinson.*) There also seems to be some inaccuracy in the answers as to the School Board rate, which is levied by precepts upon the vestries and district boards under the schedules of the Metropolis Management Act, 1855, and on the Commissioners of Sewers in the City. The vestries and district boards include the amount of the precept in their own contribution orders upon the overseers, and thus the overseers are again the ultimate authority for rating. In this

respect some curious anomalies exist, as, for instance, in some small portions of the parishes of Whitechapel and Shoreditch, and in Ely Place, where houses locally situated in these parishes are drained into the City sewers, and rated accordingly. The School Board rate, falling on the vestries and district boards, in these cases do not include these houses, which are, so far as the rate is concerned, included in the City Commissioners of Sewers' levy.*

1244. Those would be minute variations, I suppose?—Yes, those are only minute variations.

1245. Then question 762?—That was with regard to the period for which the Metropolitan Board of Works, and now the Council, could borrow. Mr. Rotton states that the Acts "stated in regard to "each sum, the borrowing of which was authorised, "that provision was to be made for the payment of "an equivalent amount of consolidated stock within "so many years." The Act only states the maximum term of 60 years for the payment of all the consolidated stock in respect of which we borrow.

1246. There is some limitation to secure that certain sums shall be paid?—(*Mr. Harrison.*) Only in the form of the sinking fund, which is an annually revised amount to be fixed each year by the Treasury—to be fixed by the Council, with the consent of the Treasury—and they are the guardians annually for examining the Consolidated Loans Fund, and seeing that it is being accumulated at a proper rate.

1247. (*Lord Farrer.*) And that each loan that is made out of that fund is repaid within whatever is determined on as the proper period?—(*Mr. Dickinson.*) Within 60 years.

1248. It being always within 60 years?—(*Mr. Harrison.*) Yes. But some few years ago, in 1881, when the Consolidated Loans Fund began to accumulate to a very large sum, authority was given by the Money Act to employ, with the consent of the Treasury, cash on that Consolidated Loans Fund Account in the form of loans to any of the bodies that we were authorised to lend borrowed capital to, provided that the money so taken out of the Consolidated Loans Fund was brought back within the period of years to which the fund belonged.

1249. Quite so; but within that period there is always a limit put on each loan that is made to a local body with reference to restricting the period for which it is borrowed?—(*Mr. Dickinson.*) In regard to the local authorities, it stands on rather a different footing, because the local authorities are only enabled to borrow for 60 years for the purchase of land, and for 30 years for erecting buildings: therefore, when we borrow money in order to lend it to them for 60 years, they have to make provision for its repayment in 60 years, both from themselves and into our consolidated loans fund; and when we lend them for 30 years we have to do the same thing—make provision for their repaying to us the money in 30 years, and also providing in the Consolidated Loans Fund the same amount of money in 30 years.

1250. And you also, beyond that, impose a limit, having reference to the particular purpose for which the sum is borrowed?—We, ourselves, very often lend for less than 30 years.

1251. If it is for paving, for instance, you limit it to five years or seven years?—Yes, we exercise our discretion. (*Mr. Harrison.*) They may not borrow without our consent; and in exercising our consent we have regard to the life of the work, and if a parish applies for a loan for paving or other purposes we have, as a finance committee, before us the report of the engineer and of the valuer as to the life of the particular work, and we fix the period of loan with reference to that.

1252. Is the control entirely with the Council?—Absolutely.

1253. Or do the Local Government Board have any voice in that?—It depends; in some authorities they have to get the previous consent of the Local Government Board before they come to us; still, notwithstanding the consent of the Local Government Board, we exercise a supervision.

1254. You always exercise it: but in some cases the consent of the Local Government Board is required, too, for the term?—Yes, it depends upon the particular authority that is borrowing.

1255. (*Mr. Smith.*) Then they come to you with the Local Government Board's sanction in those cases?—They bring us, in those cases, the consent of the Local Government Board.

1256. In others you determine for yourselves, where you have the power?—In other cases we have absolute control.

1257. It is a repayment within a repayment really; the minor repayment you settle in a general way, and sometimes the Local Government Board, too; then you are all governed by a Consolidated Loans Fund limit of 60 years?—Yes, that is so. Of course, the Consolidated Loans Fund is only for the repayment of the capital borrowed by the Council.

1258. I quite understand?—

1259. You were talking of your power to use money out of the Consolidated Loans Fund for the purpose of lending to local authorities. I think the Act to which you refer also gives you power to apply that money to loans which you require for your own work, does it not?

1260. (*The Secretary.*) I think that was a later Act, of 1885?—Yes.

1261. (*Mr. Smith.*) You have the power?—Yes, there is such a power.

1262. I know, because I appropriated it?—

1263. (*Lord Farrer.*) Then you treat advances for your own purposes in much the same way as you treat loans to other bodies?—Internally we do.

(*Mr. Dickinson.*) Would it be any use if I ran shortly through the last Money Act? We first obtain power that the County Council may during the financial year and six months afterwards spend certain sums of money on capital account which are all specified for particular objects, and then at the end of that section there is a provision that money expended under the authority of this section should be repayable within such term, not exceeding in any case 60 years, as the Council, with the consent of the Treasury, may determine. Then there are similar sections with regard to other expenditure for works authorised during the session, and then there is a section which gives us power to lend money, specific sums, to the various public bodies; first to lend to a vestry or district boards, or commissioners, or burial boards, last year 420,000*l.* And then the commissioners of public libraries, and boards of guardians, and the managers of the Metropolitan Asylums District, and the London School Board. In each case the amount of money which we may lend to them in the course of the year is stated. Then in such instances in which the approval of the Local Government Board or the Treasury is necessary it is stated that "money borrowed from or lent by "the Council under this section shall be repaid to "the Council with interest within such time after "the borrowing as the borrowers, with the consent of "the Local Government Board, and the Council, with "the approval of the Treasury, shall agree, not "exceeding 30 years." Then there is a similar provision with regard to the boards of guardians, namely, that it is to be paid back, and the time approved of by the Local Government Board, and in no case to exceed 30 years. And with respect to the School Board it must be paid back within 50 years, "such time after the borrowing not exceeding 50 "years as the School Board, with the sanction (as the "case may require) of the Education Department or "of a Secretary of State, and the Council, with the "approval of the Treasury, shall agree."

1264. (*Mr. Crawford.*) Must the School Board borrow through you?—They are not obliged to, but

* *See* Rotton, 727–8.

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they do, of course, very largely. The next section is that in order to raise the money to provide for all these payments, the Council may create a consolidated stock and the following provisions shall have effect: "Where the Council, under the authority of this Act "create consolidated stock to raise money to enable "them to make a loan repayable within a period not "exceeding 30 years from the date of such loan, the "Council shall from time to time carry to the "Consolidated Loans Fund such sums as the "Treasury approve as being in their opinion sufficient "to redeem within the period of 30 years from the "date of the creation of such stock, or within any "less period for which any such loan may be made, "an amount of consolidated stock equal to that so "created. Where the Council under the authority "of this Act create consolidated stock to raise money "for the purpose of the Fire Brigade Act, 1865, the "Council shall from time to time carry to the "Consolidated Loans Fund such sums as the "Treasury approve as being in their opinion sufficient "to redeem within the period of 30 years from "the date of the creation of such stock, or within "any less period for which any such loan may be "made, an amount of consolidated stock equal to "that so created." That this year we have obtained the consent of Parliament to enlarge. Then comes the clause: "Where the Council are by this Act "authorised to make a loan, the Council, instead of "raising money for any such loan by the creation of "consolidated stock, may use for any such loan any "money for the time being forming part of the "Consolidated Loans Fund, and not required for the "payment of the dividends on consolidated stock. "Provided that no such money shall be used for "any loan repayable at a date later than the date "at which the consolidated stock redeemable by "means of the money so used is required to be "redeemed." That is the power that enables us to use money of the Consolidated Loans Fund, and then it goes on: "Where the Council are authorised by "this Act to raise money for any purpose, the "Council, instead of raising such money by the "creation of consolidated stock may, with the ap- "proval of the Treasury, use for such purpose any "money for the time being forming part of the "Consolidated Loans Fund, and not required for "the payment of the dividends on consolidated "stock. Provided that no such money shall be so "used unless provision shall be made in such manner "as the Treasury approve for repaying the same to "the Consolidated Loans Fund at or before the date "at which consolidated stock redeemable by means "of such money is required to be redeemed, and in "every such case the Council shall raise, as part of the "county rate, such sums as the Treasury approve as "being in their opinion sufficient for the repayment "at or before the date aforesaid of the money used "for such purpose and for the payment of the "interest on the money so used, and such sums shall "be carried by the Council to the Consolidated Loans "Fund." Then there are some minor provisions, and then the only important clause after that is: "During the financial period the Council "shall not (except for such temporary period "not exceeding six months, as the Treasury may "sanction) raise otherwise than in conformity with "and to the extent mentioned in this Act any money "under any powers of borrowing conferred upon the "Council either by this Act or any other Act "whatsoever," so that that limits us to raising money under this Act only.

1265. (*Chairman.*) Mr. Rotton's answer to question 762 appears to have been quite correct, though not going into so much detail as you have done?—What number?

1266. Question 762; all this is *apropos* of that?—Yes, I do not think Mr. Rotton is inaccurate; it was in pursuance of this conversation that I put that before you. Our other point in that is really that the Council has not issued Metropolitan Bills.

1267. As to question 766, you tell us that the Council has never issued bills?—No, we never have; the Metropolitan Board of Works never did.

1268. Then, in question 782, there was raised the question as to the usage of these sub-authorities to borrow money for themselves, and Mr. Rotton tells us he thought they did not borrow money for themselves. He could not state that as an absolute rule, but he thought not?—Well, they do. The only reason for them to come to us is because they can get it cheaper; that they cannot get it cheaper outside or on better terms.

1269. Is there any characteristic of the terms when they borrow for themselves?—(*Mr. Harrison.*) No; they borrow chiefly on account of the rate of interest and of the mode of repayment. Many of these applicants require to borrow money on the annuity principle, and the Treasury has refused its consent, and in consequence they have gone elsewhere and borrowed it from an insurance office, and the practical result is that we have been losing customers for the employment of our Consolidated Loans Fund, and the matter is now under the consideration of the Treasury as to whether some other system cannot be adopted to entice these local authorities back again as our customers.

1270. Is it a new practice their going and borrowing for themselves?—Yes, the last two or three years.

1271. Before that power existed, and was not exercised?—No; practically no.

1272. (*Mr. Crawford.*) Can you give us a reference to any authorities, Mr. Harrison?—Oh, yes; St. Pancras, a 60,000*l.* loan either last year or the year before that for electric lighting purposes. We gave the authority sanction to borrow, and they obtained the money from the Prudential Insurance Office. Other instances: we have another loan for 42,000*l.* from St. Pancras now under consideration, in regard to which they say that unless we consent to their terms they are in a position to borrow the money elsewhere, and they will do so.

1273. (*Lord Farrer.*) I think the converse happened with the School Board, did it not; that they insisted on borrowing on the instalment principle. We tried to make them borrow on the annuity principle, and they would not have it?—Yes; at present our practice is not to impose one system or the other; we take whatever system they apply for; we want customers for our Consolidated Loans Fund.

1274. (*The Secretary.*) What is the difference of interest?—The difference of interest I do not really know myself. I have lent largely, professionally, for insurance offices. We have lent a great deal on rates outside London at 3¼ per cent. The School Board of Brighton has a large loan. We lent it at 3¼; but the Prudential and other insurance offices are now very anxious to get hold of these loans, and will lend the money at 3¼ per cent.

1275. (*Chairman.*) They underbid you?—They underbid us.

1276. Quite apart from the question of the mode of repayment?—From both questions. Of course in an insurance office they do not care a straw which system; they would rather prefer the annuity system.

1277. But a quarter per cent overshadows the importance of the difference between the annuity and the instalment mode of repayment?—It would not be calculated in that way. You see one of the great difficulties is this, half our Consolidated Loans Fund is payable in 1929, which is a very short time, the other half in 1941. It is of great importance to get our capital out, our principal out for the whole term as a balance of that loan, particularly as in a few years it will be so short a period that we do not have customers enough to take it up in short loans, and therefore the annuity principle keeps out the principal so much longer, and we know therefore that this money which has been borrowed at 3½ per cent. on the old lines ought to accumulate on the 3¼ per cent. the longer it is lent out the more security there should be of employing that fund.

1278. (*Lord Farrer.*) Has there not been a suggestion on the part of the Treasury that if the annuity principle is adopted the time for the currency of the loan should be shortened?—We are in negotiation with the Treasury now on the subject. They have consented to the annuity principle up to 50 years. We have no money applicable for loan purposes longer than 56 years, and application is now being made to extend that time from 50 up to 56 years. It is really a very slight sum in amount, the difference between an annuity of 50 years at 3 per cent., and 56 years at the same rate; it is only 83*l.* a year, and it is nothing, but the principle of objecting to the annuity principle by offering a premium to take it for 56 years on the instalment, produces the friction with the local authority.

1279. The Treasury being inclined always to the instalment principle, the Local Government Board rather lean to the annuity principle, do they not?—All money lent by the Local Government Board is practically on the annuity principle, the millions outside London. Inside London our sinking fund has been always upon the instalment principle; our sinking fund, our loans to bodies other than guardians (which have been on the 30 years' principle, have been always annuity) have been on the instalment principle. But now the bulk of the applications are on the annuity principle for all loans.

1280. (*Chairman.*) Your memorandum ends with calling attention to what you consider omissions on the part of Mr. Rotton?—We noticed that Mr. Rotton has given no evidence whatever on the branch of the question which relates to the county government outside the city, and as this must form a very important section of the inquiry before the Commission, we think it right to draw the Commissioners' attention to this omission. We have prepared another statement.

1281. This last statement you hand in has a bearing upon that part of the inquiry?—Yes. Mr. Kemp, who has been working for us, prepared that; he will be prepared to present it to you, and to give evidence upon it.

1282. (*Lord Farrer.*) I see it is stated in the agenda paper of the Council for this week that you have been, and are still, collecting further information, some of which relates to the City, and other parts of which, probably, relate to other parts of the subject. I suppose in due time you will be quite willing to give us that?—Oh, yes; as I said last time, whenever the Commission think it would be useful for us to give them the information we have got, we shall be prepared to give it to the whole extent that we possess it.

1283. (*Chairman.*) Have you got your second statement there?—Yes.

1284. There are certain portions of your administrative work in respect of which Mr. Rotton gave us little or no information. Perhaps you could tell us something about it. Page 3, with respect to the embankments and highways, prevention of floods?—With regard to the embankments, our duty now is restricted to their maintenance, as the embankments have been constructed along the Thames. Of course, if the embankments have to be extended, the construction of further embankments will fall to us to carry out. These embankments are the Victoria Embankment, the Albert Embankment, and the Chelsea Embankment.

1285. You have made some alterations in respect of portions of the embankments. You have altered some parts of the Chelsea Embankment, have you not?—That was in connexion with Battersea Bridge. A slight alteration has been made, but nothing of much moment.

1286. Have you not, nearer Pimlico?—Yes, in connexion with new Battersea Bridge. We had to build up a portion of the embankment close to that bridge; but I do not remember that we have made any important structural alteration in that since we have been in power.

1287. You have altered the character of the frontage opposite Chelsea Gardens?—That would be at Battersea Bridge, would it not?

1288. No, it is lower down; it has no connexion with Battersea Bridge?—Perhaps I am wrong; we did make some alterations.

1289. And at Millbank, fronting Grosvenor Road; are you doing anything there?—Not at present.

1290. That is now in your hands?—Yes, that will be in our hands, the whole of that.

1291. If you had to do anything there, it would be something more than maintenance?—Oh, yes. We should have to do everything in connexion with the embankments. I only wished to say that the embankments have been constructed in those portions, and therefore their repairs and alterations fell to us chiefly in regard to them. Then that comes under the question of the prevention of floods. That is the power which we execute upon private individuals. We can compel private individuals whose property is liable to floods so to protect that property that their property and the neighbouring property shall not be flooded by high tides. When we first came into existence, we caused a very elaborate survey to be made of the whole of the banks—40 miles—of the Thames; and upon that survey we have served notices on practically all of those private individuals, and they are now being carried out. Notices, of course, have also been served on vestries in some cases where a vestry has property abutting on the river. They have to make the necessary provision against floods, and then they have a special power by which they can charge that expenditure on a portion of the parish which is benefited by it.

1292. But you have the power of setting them in motion?—Yes, we set them in motion.

1293. If they are laggard, you call upon them to do the work?—Yes, we treat them exactly as a private individual, and compel them to do it.

1294. In fact, you are the exclusive authority with respect to the riverside?—We are the exclusive authority as regards the floods, yes. There ought to be an amended reference to that point—the prevention of floods. It is not to Appendix, page 24; it should be Appendix, page 17—Appendix, page 24 and page 17.

1295. Now with respect to parks; we have not much information with respect to your authority over parks?—I think, if you turn to page 30, you will see there is a list of all the parks, the Acts of Parliament under which we hold them, the acreage of the parks.

1296. And your powers over the parks which are under your control?—Yes.

1297. Have those been extended of late?—We have the powers under the General Act, the Public Act, the Open Spaces Act. Under that Act we can purchase any land for open spaces, but most of these large open spaces have been purchased under special Acts or special schemes, and at the present moment we generally take advantage of our annual General Powers Bill to insert in it any provisions we wish in purchasing open spaces. For instance, this year in purchasing Hackney Marshes we could not carry that out without an Act of Parliament, because there were a great many varying interests in it, that could only be really satisfied by an Act of Parliament, and therefore we put that into our General Powers Bill this year, and under that Act we have power to purchase the Hackney Marshes, and under that Act Hackney Marshes vests in us should there be any question of title there.

1298. (*Mr. Crawford.*) The expenses in connexion with open spaces all come out of the county rate?—Yes, the expenses all come out of the county rate.

1299. And the City contributes?—And the City contributes, yes.

1300. (*Chairman.*) Have you obtained any additional powers with respect to the management of parks of late?—I do not think we want any additional powers with regard to the management of parks. There was a legal question raised once, whether we

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had a right to put up small buildings for refreshment-houses and conveniences. We had that set at rest by a clause in our Act of Parliament. As regards the maintenance, practically the Acts of Parliament are sufficient to give us full powers for maintenance; we have full powers of making byelaws to any extent.

1301. (*Mr. Smith.*) You have special powers as to bands, too?—Yes, that really had nothing to with parks?—It was more a power to spend money on bands if we wanted; we obtained that power. You will find at page 30 that we have power to maintain, and subsidise bands and provide music.

1302. (*Mr. Crawford.*) That is under a recent Act?—That is under one of our own Acts. We have now power to provide them everywhere.

1303. (*Chairman.*) But is that confined to their employment in parks and open spaces?—Under the original Act it was confined to parks and open spaces in the possession of the Council. We found that was not fair to the vestries who maintain their own open spaces, and were not able to have any music there, so we got powers then, enabling us to provide music in all places in the county, so that our power is unlimited.

1304. At the corner of a street, for instance, could it be done there?—My recollection of the clause is, that it would include that, but I have not got the Bill before me at this moment.

1305. (*Mr. Smith.*) It surely would not enable you to employ perambulating street bands, would it?—I have not got the Bill before me, but my recollection of it is that we went for general powers, and we got them.

1306. (*Lord Farrer.*) Practically they are bands which play in places to which people resort in the afternoon and evening?—Yes.

1307. That is the object, and that is what is done?—That is what is done: they only play practically on Saturdays in the parks; in the Embankment Gardens now and then.

1308. (*Chairman.*) And all those expenses are met out of a rate running throughout the county?—All the expenses in regard to the parks are met out of the General County Rate.

1309. The next item is, industrial and reformatory schools; you have the maintenance of a couple?—(*Mr. Harrison.*) Yes. (*Mr. Dickinson.*) Page 4 of Statement No. II., reference to page 28. With regard to the industrial and reformatory schools, we have the maintenance and management of two industrial schools, one at Feltham and the other at Mayford. Feltham Industrial School was taken over by the Council from the Middlesex County Council.

1310. And Mayford?—Mayford is an industrial school established and maintained in accordance with the Industrial Schools Act, 1866.

1311. Those are powers which you have taken over from the Middlesex County Justices?—You will find the details at page 28 of Statement No. II. They both came to us under the Local Government Act.

1312. (*Lord Farrer.*) Was Mayford School taken over from Quarter Sessions?—Yes.

1313. (*Chairman.*) That is not so much the point as this; the Quarter Sessions might have taken it over, and you got the power from them to take it?—Yes.

1314. Whether they have taken it over or not, the power that you have is the same power as they had; the only power you have is what they had?—Yes.

1315. Those powers do not apply to the City?—Those powers do not apply to the City; no, in the City the Common Council exercises the same powers.

1316. Not the Quarter Sessions of the City?—Under the Local Government Act I think it is the Common Council.

1317. And does your rate in reference to these run in the City?—Our rate does not run in the City.

1318. (*Lord Farrer.*) Are there any other industrial and reformatory schools in the Administrative County of London?—Yes. The School Board has got an industrial school, and the Metropolitan Asylums Board, again, has got a training ship. They practically are very much the same.

1319. (*Chairman.*) You would have power to take over these if you thought it desirable, and if the authorities having charge of them desired it?—I do not think we should have power under the Local Government Act, without an Act of Parliament to take over the School Board one or the Metropolitan Asylums School.

1320. The Quarter Sessions had not power before?—Well they had power to take over private ones, but I should doubt whether they had power to take over the Metropolitan Asylums School.

1321. (*Mr. Crawford.*) You could establish your own or take over private ones?—Oh, yes, we could establish any we liked ourselves.

1322. (*Lord Farrer.*) Does the training ship down the river belong to the Metropolitan Asylums Board?—Yes.

1323. (*Chairman.*) And one to the School Board?—One belonging to the School Board. They are both together; close together.

1324. There is one belonging to a separate society?—Yes, there is one.

1325. We had some evidence from you as to the appointment of coroners, I think?—Yes. I stated about that, that we paid the salaries of all the coroners.

1326. The Contagious Diseases (Animals) Acts; what do you do with reference to those Acts?—That does not apply to the City. You will find that at page 33 of Statement No. II.: "We have to appoint "inspectors; we have the power of declaring a place "to be infected with pleuro-pneumonia or foot-and-"mouth disease. To declare the infected place to "be free. To dispose of the slaughtered cattle, and "to pay balance of amount received, exceeding com-"pensation to the owner. To bury the slaughtered "animal on the owner's premises, or (with the consent "of the Privy Council) in any common or unenclosed "land. To keep a record relative to slaughter. To "withhold compensation from persons guilty of "offences under the Act. To provide landing, "slaughter, &c. places, for animals other than foreign "animals, fodder, dung, &c., and to make byelaws "relating thereto. To acquire land for wharves, or "for the burial of carcases, and to dispose of such "land as is not required. To make returns to Board "of Agriculture. To generally enforce the Act and "the Orders thereunder. To appoint inspectors and "veterinary inspectors."

1327. And the establishment of the Board of Agriculture has rather altered your action?—Yes, it has. The provisions of the Act relating to foreign animals have to be enforced by the Corporation of the City throughout the metropolis; but with regard to other animals we are the authority.

1328. (*Mr. Crawford.*) Under what Act do you claim that, Mr. Dickinson?—They are rather complicated, the two Acts; but the first Act, which refers to foreign animals, refers to the City. The second Act, which refers to other animals, does not refer to the City, so there is a very nice question of law involved. Those are the two Acts, 41 & 42 Victoria, chapter 24, and 53 & 54 Victoria, chapter 14; 49 & 50 Victoria, chapter 52. My recollection of those Acts is, that the first Act stated that certain matters were done by a local authority, and as regards foreign animals the local authority was to be the City Corporation; but this later Act came and gave further powers with regard to other animals than foreign animals, and established the Metropolitan Board of Works or the County Council as the local authority. In that Act there was no reference whatever to the City Corporation, so that I think the City Corporation's duties are limited to foreign animals.

1329. (*Chairman.*) Does that arise out of the establishment of the City Market?—Yes, Deptford Market.

1330. Deptford Market was the reason of it?—Deptford Market was the reason of it, because they undertook to establish Deptford Market.

1331. As long as Deptford Market is there it would be most convenient for them to exercise the powers over foreign animals?—That is so, and that was the reason for it.

1332. (*Mr. Crawford.*) I think you will find that the City also claim the power in regard to other animals?—I have no doubt they do.

1333. (*Lord Farrer.*) This states that the local authority for the City is the Corporation?—Yes; I state so there.

1334. (*Mr. Crawford.*) I think if you take the second schedule in conjunction with section 9 of the Act 41 & 42 Vict. c. 74?—I have not got the Act.

1335. (*Chairman.*) Your expenses in connexion with that subject are defrayed out of what?—Our expenses in relation to that subject are defrayed out of the special county rate, which does not run into the city.

1336. (*Lord Farrer.*) Is that so? You say here, "The City contributes to the County Council fund "for the purposes of the Act"?—(*Mr. Dickinson.*) I should like to correct my last answer. The City does contribute to this expense.

1337. The City does contribute?—Yes.

1338. (*Chairman.*) The Small Holdings Act; have you taken any action over that?—Have we taken any action?

1339. Yes?—We have let some land of our own at Abbey Mills, and we are at present taking some more in Poplar and Plumstead.

1340. (*Lord Farrer.*) There is a large area there?—A very large area, indeed.

1341. (*Chairman.*) Did you take that action being moved thereto by representations?—There have been representations. I think I might say we did it on our own motion.

1342. No official motion?—The Act says we must appoint a committee for the purpose of recommending the Council to adopt the Act. That was done at once; then that committee recommended that we should take action.

1343. Do you know what you have done at Poplar and Plumstead?—We are renting land at Poplar, and are in communication with the War Office in regard to taking land at Plumstead.

1344. How have you taken it, under what tenure; have you taken it in fee or are you tenants?—We have not purchased any.

1345. With the object, if you have purchased it, of selling it again or of letting it?—We are letting now; we are letting largely.

1346. (*Mr. Crawford.*) When was the committee appointed, do you know?—Last year, I think.

1347. At page 38 you say it has held four meetings; it must be a recent appointment?—Yes, quite a recent appointment. The Act was last year's, and then we first of all had to appoint the committee to bring up the resolution to us I have told the Commission of, namely, that we should adopt the Act. And then we appointed this Standing Committee and that was done this year; that is only quite recent.

1348. The committee had to consider whether you were justified in adopting it?—The first committee had to consider whether we should adopt the Act.

1349. (*Chairman.*) That you are bound to do?—That we are bound to do, and we did adopt the Act.

1350. Formally you adopted it, and you have acquired in some fashion some land which you are letting on yearly tenancies?—That is so.

1351. I believe you are bound to let at such terms as to save the County Council from cost?—That is so. "The council must not acquire land unless in "their opinion all expenses will be recouped them, "and must not charge the county rate with a sum "likely to exceed, in any one year, an amount pro- "duced by a rate of a penny in the £." We state that on page 38 of Statement No. II., and that is the position of affairs with regard to that subject.

1352. So far have you had any appreciable cost thrown on the rate or otherwise?—Thrown on the rate, no.

1353. It may be temporarily thrown on the rate, it must come back?—You see it is so very recent; I do not think we commenced letting land much before the beginning of the summer.

1354. Have you made an alteration of late in respect of your works, taking them into your own hand, doing your work for yourselves?—Yes, on page 38 I have referred to the Works Committee. The council has been advised that it has power to execute its own works, and it now carries out sewer work, building work, &c., by means of its own staff. The committee was appointed in November 1892, and since then it has been very fully occupied with various works that we have ordered them to carry out.

1355. They have provided stores and they have employed men?—Yes. We have provided a large central yard at Belvedere Road on the other side of the river, opposite Westminster, and we have what we call the manager, the head of the department, and he employs the men.

1356. (*Mr. Crawford.*) What is the average number of men under his direction?—In the week ending the 10th of June there were employed in relation to that, the manager, six men on yearly salaries, and 307 men on weekly wages. Of course that last number would vary.

1357. Would that last number be liable to much variation?—According to the works that we are undertaking, yes, but I think at the present moment it has been varying in the shape of increasing.

1358. (*Lord Farrer.*) Constantly increasing?—Constantly increasing, yes.

1359. (*Chairman.*) Are they treated at all in a different way, the men employed by you; have you any permanent men and casual men?—In this department most of these men would be appointed just for the week in the ordinary way in which a builder would appoint his labourers, but in all our other departments they are practically permanent men although they receive weekly wages. For instance, park employés, they go on for years there, the gardeners, and the constables, but in this department they will be more or less temporary.

1360. It will depend upon the works which are in hand?—It will depend upon the works which are in hand. It is left to the manager to arrange that himself.

1361. If these are seasonal works you would have men discharged?—That would be so.

1362. And re-engaged as the works came again into operation?—Yes, that would be so.

1363. (*Mr. Crawford.*) May I interpose to ask the character of the works? For instance, if the Council were going to build a new asylum, is that a kind of work you would undertake yourselves?—In the first place, we commenced by making a large sewer in York Road, then a relief sewer at Hampstead, and we are constructing now some stables and outhouses in connexion with the new Claybury Asylum. That has been the character of it. At the present moment it is practically sewer work and building work. There are also two or three fire brigade stations being constructed and other minor works.

1364. (*Chairman.*) Perhaps it is too early to ask what is ultimately contemplated as the development of this matter; whether it is to be only subsidiary work?—I think that will depend upon our experience and success. At the present moment I think it is working very well.

1365. (*Lord Farrer.*) It is rather too early to draw any conclusions yet?—Oh, yes, I think it is.

1366. (*Mr. Smith.*) It is not to develop into a municipal workshop?—I cannot say what it will develop into.

1367. (*Chairman.*) At present workmen are only employed to do work that is wanted?—Oh, certainly.

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1368. (*Lord Farrer.*) Has there been any experience yet of having to dismiss men?—Yes, I think so, certainly.

1369. Of getting rid of men because they were not wanted?—Oh, yes.

1370. (*Mr. Crawford.*) Have you an instance where, for example, you have undertaken sewerage works, and first of all you have put up the work to tender, and then, no tender being satisfactory, you have done the work yourselves?—That was the origin of the Works Committee. We put up some works to tender and we got such very extravagant tenders that we resolved to do them ourselves. We entrusted a sewer to the Engineers' Department, and the building of schools for Crossness to the Architects' Department, and then we commenced to develop this new system. Many of the vestries in London do their own works, too, to a great extent. The schools for Crossness were a very great financial success. They were completed within the estimate.

1371. Have you ceased to invite tenders for work?—Oh, no.

1372. (*Lord Farrer.*) Will there be any means in future of comparing what the expense would be if done under contract, with the expense if done in this way?—Well, upon the new system, the architect makes his estimate for the Council, and he makes it really without knowing whether it is going out to tender or to be done by the Council, therefore, that estimate is a good estimate. Then the Works Department take it up as a builder would take it up for that money. If they say they can do it for that money they go on with the work. They have to keep their accounts separate to see the cost of that work. There would always be that criterion. There would also at the same time be a great number of works going on in the ordinary way.

1373. (*Chairman.*) The expenditure by this department covers the whole of the administrative county?—Yes; at least it would depend; for instance, what we are building at the asylums we should not be able to charge the City with.

1374. (*Lord Farrer.*) Sewers you would be able to charge them with?—Oh, yes.

1375. (*Mr. Smith.*) A certain portion of the administrative charges?—That would go all over the county, yes.

1376. (*Chairman*) With respect to your sanitary powers, what are your relations towards medical officers of health?—Under the Local Government Act and the Public Health Act we pay half the salary of any medical officer of health appointed after that date or re-appointed after that date. I have a little plan got out just to show you what medical officers of health have been appointed. In all the parishes which are coloured we pay one half of the salary, and we have a right to reports from them, and, of course, as time goes on, the parishes which are uncoloured will also fall into the same category. This is a very useful provision; the only disadvantage to it is that it has not been extended all over London at once, instead of waiting until the re-appointments.

1377. (*Lord Farrer.*) What is the red and blue?—The blue are districts in which the Council pays, or is liable to pay, a moiety of the salary of the medical officer of health, and the red is where the appointment is pending. The number of medical officers of health in the Administrative County of London is 49. The number to whose salary the Council is at present liable to contribute a moiety is 20; the number to whose salary the Council has already contributed is 12; and then there are eight appointments pending. That entitles us to all reports that are sent to the Local Government Board; they have to be sent to us, and we can enforce that.

1378. (*Mr. Smith.*) You would like that to be uniform to be of any use?—It would be very useful if it were uniform.

1379. (*Chairman.*) What power have you over these officers?—We have very little actual power beyond what I say. We have the power to require them to send us reports, and to refuse to pay half the salary if we are not satisfied, if we do not get them, and that is all the power we have over an individual medical officer. Of course, the ultimate powers over the sanitary authorities that we have really give us some strength. Our powers might be made stronger.

1380. (*Lord Farrer.*) I suppose that the medical officer generally wishes the thing to be done?—As a rule, yes.

1381. And he is very glad to be supported by the Council and the medical officer of the Council?—I think that is generally the case. We appointed one first of all, Dr. Shirley Murphy, and we have since appointed two assistants, and there is a large and growing staff. They have very constant work now.

1382. They are in friendly communication?—With most of them; not only the ones that are appointed, but the ones all over London, or very nearly all over London. Our medical officer of health can generally get the information he desires, but we have no power to enforce it. There are certain portions of London which do not send us information, thus rendering our information incomplete.

1383. (*Mr. Smith.*) Are there any parts of London where the medical officer is a gentleman in private practice?—Oh, yes, very many. It depends entirely upon the discretion of the vestry or district board, subject to this, that the new appointments have to be made in accordance with the regulations of the Local Government Board.

1384. You favour the election of an officer for a large district at a distinct salary apart from private practice?—That is my own view, certainly; I think that is the view of the Local Government Board at the present moment, too.

1385. (*Chairman.*) Have you absolute power to withhold the half salary?—The Act states that "If a "medical officer of health fails to send such copy of "that report the County Council may refuse to pay "any contribution which otherwise the Council "would in pursuance of this Act pay towards the "salary of such medical officer."

1386. According to what you read just now, have you absolute power to withhold half the salary?—If they do not send us the reports.

1387. If they fulfil the duty of sending the report?—Then we must pay.

1388. Although it may appear unsatisfactory to you?—Yes.

1389. You are bound to pay?—Yes, they are the reports which they have to send to the Local Government Board, so that I presume the quality of the report must be good; it must be a valid report, otherwise the Local Government Board would not be satisfied with it.

1390. You spoke rather as if you had absolute power to withhold half the salary, only on a condition which may be really a nominal condition?—It might be.

1391. As far as your will is concerned?—It might be.

1392. You have no discretion in the matter?—No, we have no discretion in the matter.

1393. (*Lord Farrer.*) Have the Local Government Board any discretion in the matter; can they say that a given report is not a proper report?—The Local Government Board have power to make regulations, and they have made elaborate regulations which would, I think, enable them to get a valid report.

1394. (*Mr. Crawford.*) Under the Act the condition of your payment of the half salary is receiving the report that they send to you?—Yes.

1395. If the report, in the opinion of the Council, is unsatisfactory, you make a representation to that effect to the Local Government Board, and they take action?—Yes.

1396. (*Chairman.*) If so advised?—Yes.

1397. You can do nothing yourselves?—We can do nothing ourselves, no.

1398. Infectious diseases; you have power to declare diseases to be infectious diseases?—Yes; they

are not very large, those powers, they are set out on page 36 of Statement No. II.

1399. It is with respect to notification, apparently, is it not?—Yes. Originally the notification of any infectious disease had to be sent to the Metropolitan Asylums Board; then the Local Government Act enacted that the Metropolitan Asylums Board were to send them on to us, therefore we get the notification in the same way that they do; it would be better if it came direct to us.

1400. But you have power to inquire with respect to any disease that shall be notified?—Yes, we have power to do that.

1401. Are your functions in this respect largely exercised?—I think that we have exercised them once. Yes, we have power to add to the number of infectious diseases.

1402. That is the purport of my question?—Yes.

1403. (*Mr. Smith.*) As to the number that shall be considered as infectious diseases?—As to the number that shall be considered as infectious diseases liable to notification.

1404. (*Chairman.*) Overhead wires; you have power to make byelaws respecting these?—We make them under a special Act that we promoted ourselves, the Overhead Wires Act.

1405. Have you largely exercised these powers?—Yes, we have made the byelaws, and the various bodies are carrying them out. As I point out here, if they are not carried out by the vestries or the district boards we can step in and carry them out: if they are not carried out by the City, then, I think there is no remedy for that.

1406. You have power to make the byelaws over all the area?—Over all the area.

1407. You have only power to carry them out outside the City?—We asked power to administer them all over the area, but the Committee of the House of Commons saw fit to leave the administration of it in the hands of the local bodies, but they still give us the power to make the byelaws.

1408. Have you made many byelaws?—You mean upon general subjects?

1409. No, upon this matter of overhead wires?—Those are the byelaws we have made, regulating the strength chiefly.

1410. Some 18 apparently?—Yes.

1411. Regulating the distance from one point of suspension to another point of suspension, and the strength?—That is what it comes to; it also extends, as you see, to obliging the companies to give us notification of all the wires.

1412. As to the naming of streets; that is another of your authorities?—In that matter we are supreme.

1413. In that matter you are now exclusive and supreme?—We are supreme all over the administrative county. In the City and elsewhere we name the street and can oblige them to carry it out, to put up the names.

1414. (*Mr. Crawford.*) Is it not more correct to say that you have the approval of the names. I think you do the various bodies the courtesy of allowing them to suggest names to you?—Yes, certainly; as a rule, we ask the local authorities to suggest names.

1415. (*Chairman.*) You have large powers as to theatres and music halls?—We have a duplicate power, or rather two classes of powers, in regard to that; the powers which we inherited from the Metropolitan Board of Works, which had to do with the construction—safety entirely, and the powers which we have inherited from the justices which have to do with licensing. Of course the position of the Metropolitan Board of Works was very much weaker in regard to that question than that ours is now, because we have the ultimate power of licensing or not licensing in our hands. But, at the same time, the law with regard to theatres in London is very inadequate, and we are proposing a Bill this year to amend that.

1416. Licensing in respect to music halls is exercised through a committee?—The Council has retained the ultimate voice in its own hands. The Committee sit to hear all applications at Clerkenwell and Newington, and then they report on each application, and then we have a special meeting, perhaps two special meetings, of the Council, to receive this report and approve or disapprove of the recommendations, and if any one appeals from or disagrees with the recommendation of the Committee, he is entitled to be heard by counsel before the whole Council.

1417. Any person affected or any member of the Council?—Yes.

1418. It is decided as it used to be by the Middlesex magistrates, by a multitudinous vote?—Entirely, yes, but the magistrate had no committee, even. We, at any rate, sift the matter thoroughly.

1419. You granted as many as 190 licenses in 1892?—Yes, a very large number.

1420. You have inherited from the magistrates certain duties as to racecourses?—Well, there are no racecourses within the area. The area is that within 10 miles from Charing Cross, and, as regards our jurisdiction, within the county. There is no racecourse within our county. Outside the county they would be licensed by the County Council of Middlesex, I suppose.

1421. But they used to be licensed by the justices?—Licensed by the justices.

1422. And were there no race grounds within that area?—Not within the metropolis. I think there was one at Streatham, formerly.

1423. (*Mr. Crawford.*) Norbury Park?—I believe there was one at Streatham, but that has ceased.

1424. (*Chairman.*) Kingsbury, near Willesden, would that be outside?—That would be outside. In connexion with theatres and music halls, the only difficulty we find is the want of a power to administer an oath, which the magistrates had.

1425. (*Mr. Crawford.*) And that applies to all licensing matters?—To all licensing matters, yes.

1426. (*Chairman.*) You have power with respect to slaughter-houses?—Yes, we license all slaughter-houses; we delegate that to a committee.

1427. And cow-houses?—Yes, the slaughtering of cattle, and the keeping of cow-houses. Those have all to be licensed by the Council, and are licensed by the Public Health Committee. The number of slaughter-houses has been decreasing year by year, because we require them to be put into proper sanitary condition before they are licensed.

1428. These powers do not appear to run into the City?—No.

1429. (*Mr. Crawford.*) The Commissioners of Sewers are the licensing authority, if you look at page 36 of Statement No. II.?—Yes, the Commissioners of Sewers execute the powers with regard to offensive trades in the City, and pay expenses out of their consolidated rate. The Commissioners of Sewers are the licensing authority to license cow-houses and slaughter-houses in the City.

1430. (*Chairman.*) Then there is baby farming?—Yes, we have to license all houses kept for the reception of more than two infants nursing, and we appoint inspectors who are constantly inspecting these. That is not exercised in the City or chargeable to the City.

1431. In connexion with your cow-keeping places, and also with dairies, you have a power as to inspection of milk?—Yes, we inspect all dairies and cow-sheds. That is under the Order of the Local Government Board.

1432. You look after the purity of milk?—Yes, in order to obtain purity of milk, but there, again, we want some amendment of the law, I believe.

1433. What is the weakness you feel?—We have a difficulty with regard to milk that comes from the country. Of course we can only inspect these places to see that they are kept clean and proper in London.

1434. Electric lighting. You have various powers?—Yes, those are under the Electric Lighting Acts themselves.

1435. Those do not extend into the City?—Those do not extend into the City, no; the Corporation is the authority, I think, in the City.

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1436. The Commissioners of Sewers, presumably?—The Commissioners of Sewers. Page 24 of Statement No. II. sets out rather fully the work in relation to electric lighting:—"To obtain licence or Provisional Order from the Board of Trade to supply "electricity. To consent to a company or private "person being so authorised. To make and vary "byelaws for securing safety of the public where the "council is the local authority. To defray expenses "out of the special county rate. To do generally all "things necessary and incidental to the supply. To "contract with others for the execution and maintenance of the necessary works, or for the supply "of electricity. To purchase an undertaking which "affects any part of the metropolis which the "council is authorised to light. This power may be "exercised within six months after the expiration of "a period of 42 years (or shorter if fixed) from the "passing of the Act authorising the undertaking, and "within six months from the expiration of every "subsequent period of 10 years (unless shorter period "be fixed). All the above powers are open to a "'local authority,' such authority being, in the City, "the Commissioners of Sewers, in other parishes and "districts the vestry and district board, and in those "parts of the metropolis which the council are "authorised to light, the Council. Under the various "Electric Lighting Orders Confirmation Acts which "affect the metropolis and empower the undertakers "to light their prescribed areas by electricity, "numerous powers (which are practically the same "in all the Acts), are granted to the Council, among "which the following are the principal:—To make "representations to the Board of Trade—(*a.*) If "undertakers fail to deposit the necessary security. "(*b.*) If undertakers seek to be relieved from keeping "separate accounts of the undertaking. (*c.*) If "undertakers, by reason of insolvency, or otherwise, "fail to lay down mains or execute works. (*d.*) When "the Council considers mains or lines defective or "dangerous. (*e.*) Should the method of charge or "price at the expiration of seven years from "26th August 1889, require alteration. (*f.*) Before "any order is revoked. To give their consent (which "is compulsory) for the placing of electric wires "above ground, along, over, or across any street or "public place. Any wires so placed before the "passing of the Act are to be removed in two years. "To prescribe the hours during which street boxes "may be opened in any street repairable by the "Council. To receive from undertakers notices and "plans of works in streets before the commencement "of any works, and within one month to approve "the same as served, or subject to conditions, or to "disapprove the same. Appeal from the Council's "decision lies to the Board of Trade. The Council "has agreed to accept four days' notice instead of a "month in the case of laying service lines from mains "already laid. To require electric lines to be laid "in existing subways which are vested in the "Council, and to charge a reasonable rent for the "same to be settled by agreement or arbitration. "Scales of charges are now settled. To receive "notice from undertakers before commencing to "supply energy of the method by which they propose "to charge for it, and no alteration in method can "be made without one month's notice to the Council. "To appoint and pay (if appointed by them) electric "inspectors for the purpose of inspecting and testing "electric lines, works, and the supply of energy; and "certifying and examining meters, and for the purpose of other duties in connexion with the undertaking. To require undertakers to establish and "maintain a reasonable number of testing stations, "with proper instruments for testing the currents "in the mains. The cost of such places is borne by "the undertakers. To give notice to undertakers "of their desire to execute all or part of the powers "and duties of the undertakers as to breaking-up, "and making good, &c., any streets, bridges, sewers, "subways, tunnels, or other works vested in or under "the control of the Council, and to amend or revoke "such notice by another notice. To receive notice "(14 days') from undertakers of their intention "to dig or trench for laying or constructing new "lines (other than service lines) near to any sewer, "drain, watercourse, defence, or work which is under "the jurisdiction or control of the Council. To "require plans of work affecting bridges to be "submitted to them for approval or otherwise. To "consent in writing, on terms and conditions if "advisable, to the interference by undertakers with "the Council's embankments, parks, or open spaces "(except where they form parts of streets), tunnels, "sewers, or subways."

1437. You will have some authority in connexion with vestries in respect of electric lighting, I suppose?—When they undertake it themselves.

1438. Yes, and also powers of permission to lay it down. Would the vestries have the power with respect to the underground wires?—Yes.

1439. (*Mr. Smith.*) Are not these powers common both to you and the local authorities?—They are, as stated on page 24 of Statement No. II.

1440. As the Electric Lighting Act gives no monopoly to a local authority or a company, you might establish, if you liked, an electric supply in the parish of St. Pancras?—The parish of St. Pancras has established its electric lighting supply under an Order which it obtained.

1441. But that does not give it a monopoly?—It gives no monopoly. There would be nothing to prevent, for instance, our obtaining an Order to supply the whole of London, so far as that goes.

1442. It is a curious instance of two public bodies having the same powers?—That is so.

1443. You are joint local authorities almost under that Act?—As I stated in page 24 of Statement No. II., all the above powers are open to a "local authority." such authority being, in the City, the Commissioners of Sewers, in other parishes and districts the vestry or district board.

1444. That is a peculiarity to London, because in other places the local authority is clearly defined as one authority?—Precisely so.

1445. (*Chairman.*) You have a staff of inspectors looking after weights and measures, and the sale of coal?—Yes, that is entirely in the hands of the Council; the Weights and Measures Act, and the sale of coal.

1446. (*Lord Farrer.*) Not within the City?—Not within the City; Oh, no.

1447. (*Chairman.*) And you are the authority under the Shop Hours Act?—Yes, we are taking very active measures under that Act now. We have had several prosecutions, but we find that the Act is not sufficient. The Act does not include laundries and similar places.

1448. You have some authority with respect to the pollution of rivers?—Well, it stands like this; every County Council is an authority under the Rivers Pollution Prevention Act, 1876, and therefore we are, but the Local Government Act says that it should be subject to any other Act affecting the question, and there being the Lea Conservancy and the Thames Conservancy in existence, it is doubtful what powers we should have.

1449. (*Mr. Crawford.*) Are they not specially exempt?—They are not specially mentioned in the Local Government Act; the two bodies are not specially mentioned.

1450. Under the Rivers Pollution Prevention Act?—In the Rivers Pollution Prevention Act they are specially mentioned, but that would not affect the point that we have some authority under the Local Government Act.

1451. (*Lord Farrer.*) You would have no power outside the County of London which would enable you to take steps to purify the Upper Thames?—Oh, no.

1452. (*Chairman.*) You have a general power of making byelaws with respect to all these objects, and

you have made a considerable number?—Yes, we have made a considerable number of byelaws. I have got out a list of the byelaws that we have made.

1453. (*Lord Farrer.*) Would you put in that list?—The byelaws we have actually made?

1454. Not the actual byelaws, but a list of the byelaws?—Yes.

1455. (*Chairman.*) All these byelaws have to be approved by the several departments with which they have connexion?—Yes, either the Local Government Board, or the Home Office, as a rule.

1456. You put in this summary of the byelaws?—Yes.

Byelaws referred to in paragraph 5 of Statement.	Act authorising making of Byelaws.	Whether Byelaws have been made or not.
For the good rule and government of the county, and for the prevention and suppression of nuisances.	Municipal Corporations Act, 1882, and Local Government Act, 1888.	No.
For regulating foundations and sites of buildings, and the materials and quality of plaster used.	Metropolis Management and Building Acts Amendment Act, 1878, and London Council (General Powers) Act, 1890.	Yes. Yes.
For regulating the formation of new streets, level width, &c.	Metropolis Management Amendment Act, 1855.	—
The construction of pipes and drains, communication of sewers, and for the guidance of the vestries and district boards in the exercise of their powers in relation to sewage.	Metropolis Management Act, 1855	A byelaw has been made as to the construction of new sewers, and another byelaw has been made as to the laying of house drains into main sewers, and the form of notice to be given by vestries and district boards, and the branching of sewers into main sewers.
For the regulation of the conduct of offensive businesses, and the structure of buildings for that purpose.	Slaughter-houses, &c., Metropolis Act, 1874, and the Public Health (London) Act, 1891.	Yes.
For the regulation of the construction of theatres with a view to protection from fire.	Metropolis Management and Building Acts Amendment Act, 1878.	Regulations have been made.
For the regulation of persons frequenting parks, gardens, and open spaces.	London County Council (General Powers) Act, 1890.	Yes.
As to bridges - - - - -	Metropolitan Board of Works (Various Powers) Act, 1882.	Yes.
As to embankments - - - - -	Byelaws as to county bridges are made under the London County Council (General Powers) Act, 1892.	Yes.
As to main roads - - - - -	Highways and Locomotives Amendment Act, 1878.	No.
As to subways - - - - - -	Metropolitan Subways Act, 1868 -	Yes.
As to lodging-houses - - - - -	Housing of the Working Classes Act, 1890.	No. (The Council's Lodging-house has only recently been established.)
Use of locomotives - - - - - -	Highways and Locomotives Amendment Act, 1878.	Yes.
As to sale of coal - - - - -	Weights and Measures Act, 1889	Yes.
As to inspection and verification of weights, measures, and weighing instruments.		
Regulation as to movement of animals and carcases, and for cleansing and disinfecting.	Contagious Diseases (Animals) Act, 1878. Board of Agriculture Act, 1889.	These are regulations made under the Glanders and Farcy Order of 1892, issued by the Board of Agriculture.
As to tramways - - - - -	Tramways Act, 1870 - -	Yes.
For regulating electric lighting companies (where the Council is the local authority).	Electric Lighting Act, 1882, sec. 6	No.
For the regulation of the hours during which children may sing in certain public places; and	Prevention of Cruelty to Children Act, 1889.	No.
For declaring a place of safety for the reception of children.		Yes.
For compelling local sanitary authorities to remove rubbish, and for regulating the construction of closets, the closing of cesspools, and the condition under which offensive matter is to be removed.	Public Health (London) Act, 1891.	Yes.
For regulating companies and persons in the fixing of overhead wires, and the posts, supports, &c. connected therewith.	The London Overhead Wires Act, 1891.	Yes.
For regulating the mode and materials with which any excavation outside the site of a building is to be filled up; the duties and fees of the district surveyors, deposit of plans and sections, description and quality of the substances of walls.	London Council (General Powers) Act, 1890.	Yes.
For regulation of the Metropolitan Fire Brigade -	The Metropolitan Fire Brigade Act, 1865.	No.
For regulating the number of infants to be received into each house registered for the purposes of the Act.	Infant Life Protection Act -	Yes. Byelaws made for each house.
For regulating the use of the Woolwich Ferry - -	Metropolitan Board of Works (Various Powers) Act, 1885.	Yes.
For regulating the use of county bridges - -	London County Council (General Powers) Act, 1892.	Yes.
Dairies and cowsheds - - - - -	Privy Council Order of 1885 and 1885.	Regulations with penalties.

The witnesses withdrew.

Adjourned.

FIFTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 26th October 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, *Secretary.*

Mr. H. H. Bridgman, Mr. H. Blake, Dr. W. S. Saunders, Mr. E. A. Baylis, Mr. D. J. Ross.

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MR. HENRY HEWITT BRIDGMAN, Chairman of the existing Commission of Sewers for the City of London; MR. HENRY BLAKE, Principal Clerk; Dr. WILLIAM SEDGWICK SAUNDERS, Medical Officer of Health; MR. EDGAR ALEXANDER BAYLIS, Solicitor; MR. DAVID JAMES ROSS, Assistant Engineer, called in and examined.

1457. (*Chairman.*) How long have you held the post of Chairman of the Commission of Sewers?—(*Mr. Bridgman.*) I was appointed in February last—on the 7th.

1458. It is an annual appointment?—It is an annual appointment.

1459. You had not served it before?—I had not.

1460. And these gentlemen are your chief officers?—Yes, sir. I hand in a statement of the powers and duties of the commission, which has been prepared under the supervision and by the authority of the Commission of Sewers. There are the words "private and confidential" printed on it, which should have been omitted; that was merely put there for our own purpose. The witnesses tendered on behalf of the commission are Mr. Blake, the principal clerk to the commission; Mr. E. A. Baylis, the solicitor to the commission; Dr. Sedgwick Saunders, the medical officer of health for the City, and we had hoped that the engineer would have been here too, but he is so very unwell that I have just received a telegram from him to say that he will come immediately his doctor has left him; but I am almost disposed to think that he may possibly be too unwell after all, because for the first time on Tuesday he appeared after two months' very serious illness. But his chief assistant, Mr. Ross, is present, and he will be able to answer any question probably, if Mr. Blake, the principal clerk, cannot do so. Mr. Blake will be able to answer any question upon the statement from page 1 to page 15, the engineer from page 16 to page 26, and the medical officer page 26 to 27, and the solicitor on any matter relating to the various Acts of Parliament, should there be any question arise for inquiry or explanation in the course of the examination. I am authorised by the commission to say, that they wish to give every possible facility to this commission to aid them in their inquiry.

1461. You wish the examination on these first pages to be directed to the chief clerk?—If you please.

1462. The Commission of Sewers originated in the reign of Charles II., I believe?—(*Mr. Blake.*) It did.

1463. You have no evidence of any prior existence?—No, in fact the Act indicates the contrary. They are first named there after the great fire of London, to regulate the rebuilding of London, the rebuilding of the City, as to sewers and drains and all that.

1464. What would you understand to be referred to by the phrase of that section of that Act which forbids all other commissioners from interfering or intermeddling?—I take it that probably there were other local associations for different purposes prior to that time, and they were extinguished by that enactment; I take that to be the meaning.

1465. And there may have been some prior commissions having power to deal with this and certain matters of this kind within the City?—There might have been locally.

1466. However, it is sufficient for our purpose to say that you date from the time of Charles II.?—That is so.

1467. And the rebuilding after the fire?—That is so.

1468. And although that was a temporary Act it has been renewed and made perpetual, and there has been a continuity of existence from that time to this?—There has been.

1469. There may have been certain variations in your numbers?—Oh, yes, from time to time.

1470. But you have always been elected on the same principle?—Yes.

1471. Will you explain to us how you are chosen?—How the commissioners are chosen?

1472. Yes?—It is set forth here on page 6; the Act of Parliament lays down certain rules, but as to the absolute mode of appointment, page 8, perhaps, would be sufficient for your purpose. The last clause, "It is, and for many years has been, the practice at the "beginning of the year, for the members of the Com- "mon Council in the several Wards to arrange, "amongst themselves, which of their Members shall "represent the Ward in the Court of Sewers for the "ensuing year. The names are brought together at "what is called a Previous Meeting, the day before the "first Court of Common Council in January, and at "the first court, subject to any alterations that may "be agreed to, the said Members are nominated to "form the Commission of Sewers, and at the next "Court of Common Council the deed is sealed "appointing them to form the Commission, which "usually continues till about the same time in the "following year."

1473. The common councillors are elected on St. Thomas's day?—Yes.

1474. That is the 21st December?—That is the 21st December.

1475. And then the first meeting of the Common Council is in January?—Yes.

1476–9. And between the election and the meeting these persons are chosen to serve on the Commission of Sewers?—Yes.

(*Mr. Crawford.*) That is all fixed by statute, the sixth section of the Sewers Act, 1848.

(*Chairman.*) The mode of doing it.

(*Mr. Crawford.*) Yes, as to the actual appointment.

1480. (*Chairman.*) That is to say, they seal them on that day, but of course the thing is done between?—They nominate them on the first day and seal them at the second court.

1481. The Court of Common Council may reject the names so chosen?—They may, and they do sometimes.

1482 That is sometimes done?—Yes.

1483. On what principle do the councilmen for particular wards select those they present; what is the usual principle?—I can scarcely tell you that

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for certain, except that I believe they go in rotation from seniority downwards; the first man has the choice, and then, if he does not care about it, the next man in the ward. I have heard that that is the case. (*Mr. Bridgman.*) Special qualification oftentimes.

1484. It may possibly vary in different wards?—(*Mr. Blake.*) I have no doubt it does, and it would rest partly on what other committees certain members of the ward served.

1485. What proportion, as a rule, do these commissioners for the several wards bear to the number of councilmen for the wards?—That is set forth at page 8.

1486. No, that gives us the number; what proportion does that bear, as a rule, to the number of councillors?—(*Mr. Bridgman.*) In the ward of Cheap there are eight members in the Common Council, but three only of them constitute members of the commission, so that the proportion is about one-third or one-fourth.

1487. Three-eighths is more than one-third, very much more than one-fourth?—Nearly one-half. (*Mr. Blake.*) 92 members out of 232.

1488. It is more than one-third, as a rule?—Yes.

1489. And they get as near as that in the same wards?—It is the same proportion every year. (*Mr. Baylis.*) The same numbers every year for the wards.

1490. But that number is arranged, I suppose, to be as near as possible to the proportion?—(*Mr. Blake.*) I am not prepared to say how it is done. (*Mr. Baylis.*) Each ward is fixed.

1491. Has it varied from time to time, the number from the several wards?—(*Mr. Blake.*) It varied up to 1866.

1492. The total number I know has varied, but the distribution of that number among the different wards, does that vary from time to time?—I cannot tell you; very likely.

1493. It is in the power of the Common Council to make a fresh distribution?—Entirely.

1494. As far as you know they may; but you do not know that they do?—I do not know that they do.

1495. (*Lord Farrer.*) Do I understand that as a general rule if *A.B.* has been the commissioner for a particular ward in the year 1893, the probability is that *C.D.*, who comes next to him on the list, will be the man selected in 1894?—They do not make that variation; if a man is put on the commission he generally stays on the commission for several years.

1496. That is what I wanted to get at?—Yes.

1497. You used the word "rotation"; I think you meant this, that the oldest member of the Common Council is asked first whether he will serve?—In some wards.

1498. In some wards; and if he declines then the next one, and so on?—Yes; I do not think that takes place every year in the ward. In the different wards they have their own arrangements, and there are certain committees in the Corporation considered vacant, and if they have got down to a certain place on the list they begin again from there; they do not begin again *de novo*, I think, from the head of the list, and let the senior have his choice there again. They get down to a certain place, and they go to the man serving below that to give the other members a choice. (*Mr. Bridgman.*) I have been on the commission for 10 years since I have been on the court; I suppose that is due to the fact of my practical knowledge, because I am an architect. No doubt, if anyone else, as an architect, wished to go on in my place I should be willing to give way to him, but as a rule those who have served well, and have a practical acquaintance with the business, are allowed to remain on.

1499. (*Chairman.*) You say there are three members in the ward of Cheap out of eight?—Out of eight, yes.

1500. Have the eight been pretty constantly re-elected of late years?—I am the senior member of the commission from my ward.

1501. Have the eight common councilmen?—No, they have not all been on the commission since I have been on.

1502. Have the eight common councilmen been re-elected as common councilmen every year?—Oh, yes, certainly; as common councilmen we are elected every year.

1503. As a matter of experience have the same eight been for some time re-elected, or is there much change in the composition of the eight?—Oh, there is not much change; they change very seldom.

1504. Very seldom a change?—Very seldom a change.

1505. And if the same eight are re-elected would the same three be chosen out of the eight?—Not necessarily, but probably they would be; they have been for three years past at any rate.

1506. And there would be some special reason to make a change?—There would be some special reason; either a member could not give the necessary time or he felt that the duties were not such as were congenial to him, not having sufficient practical knowledge, because, of course, it does require practical knowledge, the construction of roads and sewers.

1507. Those are reasons which would rest apparently with the member?—Yes.

1508. To retire?—Yes.

1509. Apart from his disposition, would there be any change likely to happen?—I think not; a member retired for me to go on just as you have suggested.

1510. And if the same councillors were re-elected on St. Thomas' Day, the same commissioners would be chosen, unless one of the commissioners desired to retire?—Yes, or there was a special desire on the part of any member in the ward to go on the commission.

1511. Can you give any explanation, Mr. Blake, of the original cause of making this commission; why was it that the court of Common Council passed on to the commission these duties?—(*Mr. Blake.*) It seems to be called for by the Act itself that they should appoint certain members to form this commission—the original one.

1512. Parliament did not do that, I suppose, without desire on the part of the City, or some reason for it?—No; but I imagine that in great measure it arises from this, that the Corporation in those days were much richer in comparison than they are now, as compared with any amount to be raised by the rates, and the commissions for a good many years were very insignificant by themselves compared with the Corporation. I daresay they did not wish it to be mixed up with their own corporate arrangements and property. That has always struck me as the principal cause why they delegated those duties to an outside body.

1513. It is a very big body?—The commission?

1514. Well, it always has been a big body, has it not?—Not till 1848, I should say.

1515. What was the original number?—Oh, as regards numbers?

1516. Yes?—Oh, it has always been a big body as regards number, comprising nearly 100.

1517. About one-third of the Common Council?—Yes.

1518. Always?—Yes.

1519. It did not get any reduction from a large manageable body to a small compact body?—No; but it was made a small body for this reason, that all the aldermen and all the deputies were, *ex officio*, nominated on the commission, so that it did not make a very large body of members irrespective of those *ex officio* members.

1520. Ordinary councillors?—Ordinary councillors, because there were about 26 aldermen and 26 deputies; that made 52 members that went on *ex officio* at once.

1521. Out of the 93?—Out of the 92 or 93. Well, it was only 83 at that time. Now, deputies only come on in the same way as ordinary members would, and there are only six aldermen nominated now.

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1522. On the other hand, the Recorder is now a member, is he not?—From a very early period you will find that the Recorder and the Common Serjeant were nominated by Act of Parliament as *ex officio* members.

1523. (*Lord Farrer.*) Is it absolutely necessary for the Common Council to select common councillors?—Not at all.

1524. They might go outside?—They might select outsiders if they liked, but, as far as I know, they have not done so.

1525. (*Chairman.*) Do the Commissioners of Sewers divide themselves into committees?—Three principal committees—the Finance and Improvement Committee, the Streets Committee, and the Sanitary Committee. That is mentioned on page 15 of the statement, and they form an Audit Committee from their own members, five from each of these committees.

1526. How often does the commission meet as a body?—Fortnightly.

1527. What is the average attendance?—I should think about 60.

1528. Two-thirds?—Yes.

1529. How long is the sitting as a rule?—I think the sittings average about two hours.

1530. Two hours?—Sometimes not more than one; sometimes it is three, three and a half, or four.

1531. And the committees sit oftener?—Yes, but not very much oftener. As a rule we do with each committee sitting between the sittings of the court once a fortnight. There is generally a good deal of business to be done, and it takes all the afternoon.

1532. Then there is one sitting a week for each member?—Oh, there is more than that.

1533. Well, one a fortnight?—Oh, there are four committees and the court in the fortnight; there are nearly two.

1534. Yes, quite so; but does the same member sit on more than one committee?—Only the audit; the audit and one of the others and the court. In that sense, the same member generally, except the chairman and the late chairman, who are *ex officio* members of all committees.

1535. And these committees average how many?—About 30; a little over 30.

1536. And what is the ordinary attendance on a committee?—I should think it would average 20.

1537. Again two-thirds?—Quite 20, yes.

1538. Then apparently, judging from the attendance, there is full work for the whole commission?—Yes, they consider so.

1539. Has there been any disposition to show that the commission is too small?—Yes, in 1866 the Court of Common Council increased the number because they thought it was too small.

1540. From 80?—From 83 to 92. It was a little more then, because there were three members of the Metropolitan Board of Works who were put on, *ex officio*, and that increased it to 95.

1541. Was that because the commission was too small for its work, or because it was necessary to give larger representation to some growing wards?—I think it was the desire to give larger representation. The commission was growing in importance, and so many members thought they should be placed on the commission. I think that that was the principal reason.

1542. That scarcely proves that they were overworked?—There is a great difference of opinion as to whether the committees should be 13 or 30, or 3 or 30 The work has increased very much of late years, enormously increased; but a small body of men can do better work sometimes than a large body of men.

1543. Perhaps this is a question which the chairman could answer better than you. Do you, looking at it as a working problem, conceive the Commission to be over-manned, or that it is adequately manned?—(*Mr. Bridgman.*) I think there are sufficient, sir, but I think if there was a less number they would have rather too much to do. I think the work now is fairly equally divided. As far as the chairman is concerned, I can say that it is hard work. (*Mr. Blake.*) It is bound to be, because he is on everything. (*Mr. Bridgman.*) On everything, because it is necessary that one holding that position should know everything that transpires on the board. As to the number in attendance, I have here a paper of business of 1890 as I thought this was a particular matter that would be required here. That shows the business done on that particular day, when 66 members were present.

1544. Was there any important business on that day?—I do not know that there was anything very special.

1545. Now, on the election of common councilmen; does the question of the way in which a common councilman has discharged his duties as commissioner of sewers ever arise at the hustings?—Well, frequent questions arise and are put to the representatives, and the representatives, as a rule, make a full statement of the various duties that they have been attending to during the year. There is always a great eagerness to know what is being done in different matters both as regards the Corporation and the commission.

1546. And it is a possible element in the mind of an elector, the way in which a common councilman has been acting as a commissioner of sewers?—Oh, certainly, and new members have frequently been put on when some have not sufficiently done their duty. (*Mr. Blake.*) Have not attended sufficiently? (*Mr. Bridgman.*) Have not attended sufficiently; I mean that, of course.

1547. Then it might almost be said that the electors have a voice in the choosing of the commission?—Oh, certainly.

1548. Although it is removed one stage from them they still do affect the ultimate composition of this commission?—Yes. Oh, they show great interest in the work of the commission and of the Corporation.

1549. (*Lord Farrer.*) The work is just as public as that of the Common Council?—Oh, yes, all the commission fortnightly meetings are held in public, and reporters are always present. (*Mr. Blake.*) They are fully reported. (*Mr. Bridgman.*) All their work is always reported.

1550. (*Chairman.*) It would not be a matter, therefore, of great difficulty, from the point of view of machinery, to have the election of the commissioners in the hands of the electors themselves?—I do not know that it would be.

1551. (*Lord Farrer.*) Is there any similar case in any other town in the country of a body selected by the municipal council to do a very large part of the municipal work?—(*Mr. Blake.*) I do not know of any.

1552. It is a peculiar case?—Yes.

1553. (*Chairman.*) It is still obscure to me why such a commission was originally appointed unless you suggest that the Common Council was too multitudinous?—(*Mr. Bridgman.*) I do not know whether I may be able to suggest a correct solution to the question when I say that immediately after the fire there was a commission or committee appointed—a committee of judges—12 judges in conjunction with the City Lands Committee of the Corporation, with the view of reconstructing London upon either the old lines or on improved lines—I know some streets were improved—and to settle any differences as to ownership, I suppose, and boundaries of property. That commission existed for some years, until the rebuilding—until London was rebuilt. I believe that the outcome of that was the constitution of the Commissioners of Sewers to look after henceforward all questions as to State government and drainage. I believe that that was the reason of the constitution of the Commissioners of Sewers.

1554. That does not answer the question of why the Common Council should not have done it themselves?—Well, the whole of the work of the City is divided into committees. I suppose it was thought that a commission—this is designated a commission instead of a committee—that this committee or commission

should have that part of the work of the City, whilst of course there is the control of the markets and numerous other matters committed to the care of other committees.

1555. (*Lord Farrer.*) Do you know whether in that period of English history the work of other towns was done by special commissions, or whether the municipal body did it themselves?—I do not know. In London, surrounding the City, were numerous commissions, such as the Bloomsbury Estate Commission, and the Southampton Estate Commission; in fact, I think myself that that was one of the great reasons why the Corporation of London was not extended further, because of the objections that were raised by the Ecclesiastical Commissioners and by the owners of those various properties thinking that their estates could be administered more economically than if the control of the Corporation were extended. I know that that is true in some instances, even when the vestries were appointed in 1855. I think that they absorbed all these commissions, because in St. Pancras, my own parish, and a very large parish, I know that there were numerous commissions—I happened to be a vestryman—and all these were absorbed in the new vestries which were constituted.

1556. Either the vestries or the Metropolitan Board of Works?—Either the vestries or the Metropolitan Board of Works; but as a rule these commissions were incorporated by the vestries.

1557. Not the main sewers?—That continued, the Greek Street offices controlling the sewers of the metropolis continued for some time afterwards until they were taken over by the Metropolitan Board of Works, but the sewers in the various localities themselves were controlled by the vestries.

1558. (*Mr. Smith.*) If you leave out the markets that you mentioned, the Commissioners of Sewers are doing a great part of what we should call the municipal work of the City of London?—Yes, certainly.

1559. (*Lord Farrer.*) When once elected in this way the Common Council cease to have any power over the Commissioners of Sewers?—During the continuance of the commission.

1560. There is no appeal from the commissioners?—No, there never has been any appeal.

1561. (*Mr. Crawford.*) They can supersede the commission at any moment?—Yes.

1562. Which is an effectual control?—They may create a new commission any day, and so supersede the existing one.

1563. That is a most effective control?—Yes.

1564. (*Chairman.*) But there must be a commission?—Yes, there must be a commission.

1565. The members may get sent about their business?—Certainly.

1566. But only by the appointment of a fresh commission?—Yes.

1567. (*Lord Farrer.*) Anything that is done by the commissioners cannot be undone by the council?—Cannot be undone excepting by the constitution of a new commission.

1568. Nor have the ratepayers any control, except the indirect control you have mentioned?—That is so.

1569. (*Chairman.*) Well now, many authorities have been given by Parliament to this commission?—Yes.

1570. Directly?—Directly.

1571. And this commission is distinguished from the council in having a rating power?—Yes; it is the rating authority of the City.

1572. With a limitation for ordinary purposes in the amount of the rates?—Yes.

1873. That limitation has not been reached in late years?—It has never been reached; I believe there is a considerable margin.

1574. (*Lord Farrer.*) Can you state whether there is any principle which distinguishes the powers and functions of the commissioners from those of the Common Council, because, according to this paper, in various matters they seem to be mixed up?—There are numerous Acts here in the Appendix which give power solely to the commission.

1575. I can quite see what the different powers are under the Acts, but I wanted to know if there was any guiding principle which runs through these Acts, and which distinguishes the functions of the municipal corporation—the Common Council as such—from those of the Commissioners of Sewers?—These Acts give power to the commission of controlling streets, and lighting and sewers and cleansing, and sanitary matters and construction.

1576. Yes, but when you come to particular things, such, for instance, as improvements, the City, I think, are the authority; the Common Council undertook the Holborn improvement, I think?—Only by special Act of Parliament.

1577. (*Chairman.*) Apart from special Act of Parliament, it might almost be said that the Common Council is denuded of its functions?—(*Mr. Blake.*) Yes; they have no powers as to improvements, certainly.

1578. (*Mr. Smith.*) You are the urban sanitary authority?—(*Mr. Bridgman.*) We are.

1579. That particular title carries the whole functions of urban government?——

1580. (*Chairman.*) I observe you say that the commissioners watch all Bills introduced into Parliament likely to affect the city of London, does not the Common Council do the same?—Yes. (*Mr. Blake.*) Yes, the same officer acts for both.

1581. The Remembrancer?—Yes.

1582. Does he report to each body?—Yes.

1583. (*Lord Farrer.*) Have the commissioners any jurisdiction outside the city area; do they exercise any functions at all outside that area?—No, only as regards the liberties.

1584. Those little bits?—Yes.

1585. But I mean they have no functions similar to those which the City exercises in regard to markets and bridges?—None at all; they have got a cemetery.

1586. Outside the city?—Outside the city.

1587. (*Chairman.*) That is to say, they bought the land and the cemetery is outside, but their functions as a burial board are confined to matters arising within the City?—Except that they are not limited to burying citizens, the cemetery is open to bury anybody who chooses to go there, and it is largely used for the purpose.

1588. (*Mr. Smith.*) On payment?—On payment, yes.

1589. But a preferential payment for outsiders?—No, it is the reverse; a preferential payment to insiders.

1590. You charge more for outsiders?—Yes.

1591-2. (*Lord Farrer.*) Then the distinction between inside and outside areas does form one principle of distinction; the whole of the functions of the City Commissioners of Sewers are inside the City area, whilst those of the City do for various purposes extend beyond the City area?—(*Mr. Bridgman.*) That is so.

1593. (*Chairman.*) You give us an account of the expenditure and receipts, perhaps it is as well that you should state the details of it and of your debt. Your income is for the past year—up to Michaelmas you make your account—page 11?—(*Mr. Blake.*) I have a copy of the accounts with me.

1594. Your income is 465,000*l.* odd?—That would be about it. I hand in the last printed copy of the accounts, that is up to September 1892. The receipts for the year 1892 were 465,652*l.*, and the expenditure 465,564*l.* They come very close.

1595. Is it generally so close as that?—No, I think you might go a hundred years without finding it so close as that; it is a curiosity, I consider.

1596. As a rule you have a better balance?—Well, sometimes it might be the wrong way, but usually there are a few thousands in balance.

1597. Out of this income by far the larger part is raised by rates?—Yes, by far.

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1598. The rest is almost insignificant?—Yes.

1599. (*Lord Farrer.*) The Commissioners of Sewers have no property, have they, except the artisans' dwellings?—Only temporarily, where they take property for improvements until they are able to dispose of the surplus.

1600. You have no estates?—Well, we have got a wharf, we have got a depôt in Thames Street, freeholds, and we have got a depôt in Stoney Lane, a small one.

1601. That is for the purpose of working?—That is for the purpose of working. We have got a mortuary, that is freehold; the wharf is on lease, and the stone-yard is on lease. Dwellings we have got, but we have only got them temporarily; we are not allowed by the Act of Parliament to hold them unless the Secretary of State gives us permission.

1602. (*Chairman.*) You have no lands the rents of which swell your income?—No.

1603. Nothing of that kind?—No.

1604. What property you hold is for your special purposes in discharging your functions?—Yes.

1605. Except these artisans' dwellings?—Except the surplus of improvements which must be sold in so many years.

1606. And the amount of your debt?—1,620,624*l.* 1*s.* 6*d.*

1607. That is the net debt?—That is the net debt, yes.

1608. And that has been incurred in carrying out improvements?—Yes, and including the artisans' dwellings.

1609. (*Lord Farrer.*) Your powers of borrowing are conferred by statute, are they not?—Yes.

1610. Entirely?—Yes.

1611. And limited by statute?—No, they are not limited so far as regards artisans' dwellings. I do not know if there is anything else.

1612. And in those statutes is there always some provision made for paying off debt; are you under the same condition under which the vestries and the Metropolitan Board of Works and other bodies are, of being bound to pay off debt by a certain time?—Yes, except under one Act, as long as we do not owe more than half a million under it. At no time can we have more than half a million under one Act, and as we pay off one part we can re-borrow to the extent of half a million; but otherwise there is no provision in that Act that you must pay off within certain years.

1613. There is no provision compelling you to pay off within a certain number of years?—No.

1614. (*Chairman.*) Which Act is that?—That is the City of London (Commissioners of Sewers) Artisans' Dwellings Act, 1881, page 73, the bottom clause, 45 & 46 Vict. chapter 89.

1615. Have you got the Act itself there?—Yes, I have got a copy of it. (*Act put in.*)

1616. (*Lord Farrer.*) What I wanted to find out was whether the Commissioners of Sewers are under the same obligations that almost every other municipal body is to pay off any existing debt within a given time?—No doubt of it.

1617. They are under their different Acts?—Yes.

1618. I mean, under a parliamentary obligation?—Yes, at different times; under the Sewers Act it is within 20 years.

1619. Then I understood you to say just now that there was some Act under which they have the power to borrow half a million?—That is the Act we have just been speaking of.

1620. And that when they repay they have the power to re-borrow under that Act to the extent of half a million?—Yes, that is so.

1621. Without reference to the purposes for which it is borrowed?—It is either for artisans' dwellings or improvements.

1622. (*Chairman.*) But the point which Lord Farrer has is this: if the Commissioners of Sewers borrow money for any purpose, must it or must it not be repaid within a definite time, and your answer is that it must be repaid under a parliamentary obligation within a definite time?—Yes.

1623. But with respect to this half a million; if I understand you rightly, they may have fresh projects for artisans' dwellings?—Yes.

1624. And, although they have repaid sums borrowed for a certain purpose, if they have new purposes of the same character to carry out, they may go on borrowing up to the extent of half a million?—Yes.

1625. (*Lord Farrer.*) Without going to Parliament again for fresh powers?—Yes.

1626. They are not bound then to go to Parliament for fresh powers?—Yes.

1627. But they may go on?—Yes.

1628. Because they have power to re-borrow?—Yes.

1629. (*Chairman.*) Then, in respect to that, is there not some limitation of their schemes; must not the Home Secretary sanction their schemes?—Yes, the Home Secretary has a great deal to say to them, but beyond that there is no limit as to their powers.

1630. You have not in this paper given us any balance-sheet of your assets and liabilities?—I have handed in the accounts, which gave the balance-sheet for the year; but I have here a statement of the assets and liabilities which is prepared every year to start with to enable the commission to ascertain what amount of rate should be made—an estimate. That was the last one—made for this year. (*Statement put in.*)

1631. You have given a list of your loans in this paper, and they are borrowed under different Acts; do they limit you in the expenditure of the money to special purposes, or do you get a general borrowing power for any purpose for which you have power to spend money?—Except the Act which has been referred to, I think they are all for general purposes; except for the artisans' dwelling purposes, they are all for general purposes.

1632. Are you under any limitation as to parting with the capital of property; if you have property, are you bound to get the consent of the Treasury to its letting or sale?—No, we are bound by Act of Parliament to let or sell the remainder.

1633. And may you spend the capital; supposing you sell a site that you have which comes into your capital account, may you spend that money for purposes of revenue. I am not saying whether you do; I am asking only about the legal power?—No doubt about it; but it goes in the same direction for improvements again.

1634. I am only asking you about the legal power?—We have no capital account really, because we work at a loss; we do not make any profit.

1635. If you derive anything from the sale of surplus lands, you are under strict obligations as to the application of the money?—I do not think for any specific purpose we do; as a matter of fact, it all goes to the improvement account.

1636. Does not the produce of surplus lands go to the sinking fund account, or some purpose of that kind?—It goes to the improvement account; the sinking fund is paid out of rates direct.

1637. (*Lord Farrer.*) Would you spend it the next year in annual expenditure?—Oh, no, certainly not; it would go to the improvement fund account until it was wanted for similar purposes.

1638. But that is a sort of capital account, is it not?—It is what you call the reserve account for improvements really. I have put a note to say we do not make any improvements out of rates in the present day, but in the first instance they are all paid out of borrowed money, and it is only the interest of the borrowed money, and the repayment of the annual proportion which is charged to the rates.

1639. Then if you sell surplus land it would go to the same account, and be treated in the same manner as capital money which you have borrowed?—Yes, really.

1640. (*Mr. Crawford.*) I see that the Sewers Act of 1848 provides for the creation of a sinking fund?—Yes.

1641. Sections 221 and 222?—It is the repayment of a loan.

1642. (*Chairman.*) Your improvement account is capital expenditure and capital receipts?—You may take it as such; we very seldom have any capital to speak of.

1643. Well, it consists of money spent in purchasing premises that you are about to pull down, apparently, on the one side, and recoupments by parts of the sites which you are able to sell?—Yes.

1644. That is the whole of the account?—That is the whole of the account.

1645. You are a corporation in yourselves, are you not?—We are not held to be so.

1646. Is not the commission a corporation?—No.

1647. Have you not a seal?—Only as a burial board.

1648. You have a large staff, necessarily?—A large staff, if you take in workers of all descriptions.

1649. Well, you have a fairly large clerical staff?—No, I think not.

1650. I do not mean to say an inordinate?—Some eight or ten, I think, in my department; considering the constant examination of the books of the rate collectors it is none too large; they are all very busy.

1651. I was thinking of the whole staff, clerical and engineering?—Oh, I cannot speak of the engineering and sanitary.

1652. (*Lord Farrer.*) Do you do all your clerical work with eight or ten?—Yes.

1653. (*Chairman.*) There is a large staff?—Yes, necessarily, appointed for the work of the commission.

1654. Appointed by the commission?—Appointed by the commission.

1655. Not by the Common Council?—Not by the Common Council.

1656. And holding office thereunder?—Re-elected every year.

1657. Every officer?—Every officer comes before the commission for re-election every year.

1658. The commission itself being a body coming into existence every year, the officers come in under it?—Yes.

1659. And their tenure is theoretically insecure?—So long as they do their duty, I think, perform their work well. (*Mr. Blake.*) I have been there 42 years.

1660. (*Lord Farrer.*) Have you a pension system for them?—No, there is no system. We are entirely dependent upon the good will of the commissioners, but they always pay very well to those who have served them properly.

1661. Is the staff altogether separate from that of the City?—Entirely. (*Mr. Bridgman.*) And the Corporation.

1662. From that of the Corporation?—Yes.

1663. Entirely separate?—(*Mr. Blake.*) Yes.

1664. There must be some duties which are very much in common, are there not?—There are certain appointments made by the Common Council in which we are the parties to pay out of the consolidated rate; that is the only control we have over those purposes at all; they are appointed and directed by the Court of Common Council, and we merely pay their salaries quarterly, that is all.

1665. Now, for instance, in the case of the Infant Life Protection Act and the Diseases of Animals Act, the expenses are charged upon the sewers rate?—Yes.

1666. That is done by you, is it?—We merely pay, nothing more.

1667. You do not appoint the officers?—No; nothing except pay.

1668. You have nothing to do with the administration of these Acts?—No, it would be certified by the commitee of the Corporattion that has the management, and we pay.

1669. (*Mr. Crawford.*) The Corporation would be the local authority, but the rate would be the sewers rate?—Yes.

1670. (*Lord Farrer.*) Quite so. Then, both the Corporation and the Commissioners must have an engineer, must they not?—The Corporation have a surveyor; formerly an architect; it is a surveyor now, and we have an engineer and surveyor in one man.

1671. But, for instance, the Holborn Valley improvement; Colonel Haywood occupied the position of an engineer and architect or surveyor, that was not done by your officers at all?—Yes, it was done by our officer, who was permitted to act for the Corporation and paid by the Corporation specially for that work.

1672. (*Mr. Crawford.*) All the property was taken by the Corporation, and the surveyor's work, architect's work, and work of that character, was done by the officers of the Corporation, but in that particular instance the engineering work was entrusted to the engineer of the Sewers, and he was paid in exactly the same way as if the Corporation had called in an outside engineer; with the permission of the Commissioners of Sewers he was allowed to be employed?—Yes.

1673. (*Lord Farrer.*) He was paid extra for it?

1674. (*Mr. Crawford.*) Certainly. (*Mr. Bridgman.*) There are practically no engineering works done by the Corporation. It is chiefly surveyor's work—the superintending of property and buildings, the control of the markets, and not necessarily engineering work.

1675. (*Mr. Crawford.*) Any engineering work would be done by an outside expert?—Yes. But the Commissioners of Sewers construct the sewers; necessarily an engineer has control of them.

1676. (*Lord Farrer.*) And in a case where the City undertake work of that description they might come to you, as they would to an outsider, to lend them an officer?—Certainly.

1677. Do they pay him as they would an outsider?—They did, I think, in the case of the Holborn Viaduct. (*Mr. Blake.*) They paid him, but whether it was the same as for an outsider, I do not know. (*Mr. Bridgman.*) I said no engineering work is done by the Corporation, excepting the construction of works, such as the Tower Bridge, that is now going forward, which is outside work.

1678. That is done by an outside engineer?—That is done by an outside engineer—engineer and contractor.

1679. (*Mr. Crawford.*) Well, that was not so entirely, for, as a matter of fact, the plan for the bridge was really the work of our own surveyor, the late Sir Horace Jones, but the actual engineering construction was entrusted to Mr. Wolfe Barry; it is being constructed by him, indeed, at the present moment.

1680. (*Mr. Smith.*) The building of a market is an engineering work and an architect's?—Yes; but nothing more than an architect can control and manage.

1681. (*Mr. Crawford.*) It is all done by the City surveyor—all the markets.

1682. (*Chairman.*) You, Mr. Bridgman, are you now a vestryman of St. Pancras?—I am, sir.

1683. You are both a vestryman of St. Pancras and the Chairman of the Commissioners of Sewers?—I am.

1684. What would you say was the main distinction between the work of the vestry of St. Pancras and the Commissioners of Sewers?—Well, I should say they are practically the same.

1685. The Commissioners of Sewers for the City perform the functions that the vestry do for St. Pancras?—Yes; with the exception of the larger improvements that are carried out in the City. I think the vestries have no power to carry out improvements except by obtaining money from the County Council now; I believe they have no authority for carrying out an improvement; they must go to the

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County Council for consent and receive a contribution; as a rule they do so.

1686. (*Mr. Crawford.*) They do not have to obtain the consent; they generally go to the County Council for the money?—For the money.

1687. (*Lord Farrer.*) They go for the consent of the County Council for borrowing?—The vestry has full power—I was thinking for the moment of the guardians.

1688. (*Chairman.*) They may borrow without going to the County Council, though it is more economical and convenient to do so; they may borrow outside?—They have done so, I know, in order to extinguish the old commissioners' debts, to consolidate them. They have done that; but whether they had to apply for consent I really cannot say.

1689. (*Lord Farrer.*) Have they no other option than to come to the County Council for leave to borrow?—I was thinking in my own mind whether they would not have to get some consent to borrow.

1690. All these bodies when they want to borrow have to go either to the County Council, or to the Local Government Board, or to the Treasury, I think?—I think there must be some consent.

1691. (*Mr. Smith.*) The County Council, I think, in some respects, take the position formerly occupied by the Local Government Board?

(*Mr. Dickinson,* Deputy-Chairman of the London County Council.) That is so in regard to vestries.

1692–3. You take the place of the Local Government Board in those matters?—We have the same functions as the Local Government Board; we cannot say we have taken the place of it, because the Local Government Board never had those duties in respect of the vestries. But we do practically with respect to the vestries what the Local Government Board does with respect to the guardians—we give the permission to borrow.

1694. (*Chairman.*) Then to go back to the parallelism between the two—how would you state it; what is the distinction?—(*Mr. Bridgman.*) Well, I should think the chief distinction would be that the City carry out more important improvements. Certainly, they do; there is no question about that—very extensive improvements. They have some in contemplation now.

1695. Larger in degree?—Much larger in degree.

1696. Does that make a difference in essence between the two bodies?—I think materially there is no great difference.

1697. (*Lord Farrer.*) Can you tell us on what principle the Metropolitan Board of Works have acted, and on what principle the County Council have acted, in assisting the City in making any improvements in great thoroughfares?—Well, we were rather freely assisted by the Metropolitan Board of Works. In later years, I think, the City received a contribution of some 30,000*l.* a year towards the improvements that were being carried out by the City; and, I think, in anticipation of that arrangement continuing the Commissioners of Sewers entered upon numerous improvements that they probably otherwise would not have done. So that I believe we might say, speaking so, that the old Metropolitan Board of Works, if it existed now, would be in our debt to the extent of some 200,000*l.* or 230,000*l.*

1698. (*Mr. Crawford.*) Have you been assisted by the County Council?—I think the only assistance by the County Council is a moiety of an improvement that is about to be carried out in Bloomfield Street, Finsbury. I believe that is the only contribution.

1699. Take the Ludgate Hill improvement; have you had any assistance there?—Not a penny from the County Council. We strongly hoped that we should have had a contribution. In fact, I know that there are improvements now waiting, because we do not see our way to commence them. There is one very important one at the end of Cheapside, near the Post Office, where the traffic is so congested that there is very considerable delay, and numerous accidents occurring there daily; but we really do not see our way to go forward with that improvement. But I believe we shall do so, whether we get assistance or not, because it is an improvement that is imperative.

1700. (*Chairman.*) Perhaps if you assumed towards the County Council the same relation that the vestry does you might get similar treatment?—Well, sir the improvements in the City cost so very much more, and they are so much more urgently needed. To speak of comparing St. Pancras with the City, there is no comparison at all. The improvements in St. Pancras are comparatively *nil*, when we take the City into consideration. (*Mr. Blake.*) There is a great drawback with regard to observing certain of the rules of the County Council, especially for the City, in applying for assistance in improvements; it involves publicity, which enhances the cost, which is great at any time, in carrying out an improvement.

1701. You think you can do your work more quietly by yourselves?—Yes, and it is of importance that we should have advanced a certain stage, given certain notices, before any publicity is given to it, and if application is made in the first instance, "we think "of making such and such an improvement if you "approve," it is taken out of our hands.

1702. (*Mr. Crawford.*) The compensation goes up?—Yes.

1703. (*Mr. Smith.*) But that publicity obtains more or less in every municipality in the country, does it not; and we manage to get over it somehow or other?—But the immense value of property in the City makes it more intense there.

1704. No doubt it intensifies the difficulty. I wanted to carry that comparison of the vestry of St. Pancras and the City of London a little further. Could you tell me the rateable value of the vestry of St. Pancras?—(*Mr. Bridgman.*) I cannot from memory.

1705. The rateable value of the City is a little over 4,000,000*l.*, I think?—4,000,000*l.* It is about one-eighth of the entire metropolis. The rateable value of St. Pancras is one-and-a-half million and 17,000*l.* beyond.

1706. (*Lord Farrer.*) And of the City?—4,000,000*l.*

1707. Have either the Metropolitan Board of Works or the London County Council carried out any metropolitan improvements within the area of the City?—Yes, Queen Victoria Street was carried out some 20 years ago by the Metropolitan Board of Works.

1708. Was that carried out at the expense of the common fund of the metropolis, or did the City contribute? They contributed as ratepayers, of course?—As ratepayers only; they did not contribute otherwise.

1709. The Holborn Viaduct was partly carried out at the expense of the Coal and Wine Dues?—I believe solely.

1710. (*Mr. Crawford.*) Not solely; there is a debt still remaining unpaid?—Oh, yes; I was coming to that. I believe there is a debt still remaining of three-quarters of a million.

1711. (*Mr. Smith.*) Was Cannon Street done in the same way?—(*Mr. Blake.*) No, by the City alone, under a special Act.

(*Lord Farrer.*) That was not done by the Commissioners of Sewers?

(*Mr. Crawford.*) No, that was done by the Corporation under the Act of 1847.

(*Mr. Smith.*) It was done before the Metropolitan Board of Works was in existence?

1712–5. (*Mr. Crawford.*) Yes?—(*Mr. Bridgman.*) Then we constructed Arthur Street East at a cost of half a million to get a better approach to the market. The Commissioners of Sewers did that solely. Then the Commissioners of Sewers contributed a quarter of a million to the Eastcheap improvement.

1716. (*Lord Farrer.*) What are the improvements which you spoke of which you think the Metropolitan

Board of Works would have contributed to, and which the County Council have not?—Principally Ludgate Hill. Then the Commissioners of Sewers are always carrying out improvements in the City. In every narrow street, where there is any rebuilding, the engineer has a plan with the lines laid down of prospective widening, so that when buildings are taken down, as they are constantly in the City, we always take good care to set back so many feet as may prove practicable for the whole street.

1717. Paying compensation?—Paying compensation; buying freehold.

1718. Is that under Michael Angelo Taylor's Act?—It is under that Act that we proceed.

1719–20. (*Mr. Smith.*) You would rather hold that as a model up to the vestries to do the same thing where it is necessary?—(*Mr. Blake.*) Yes; except that the City of London being the old part, it is more needed there. (*Mr. Bridgman.*) I suppose there is no street in the City which has not been widened in this way; but many of them have taken years to do.

1721. That is what we are accustomed to in all boroughs and municipalities; every city surveyor has a plan such as you describe, and he rounds off corners and purchases property at auctions where it is convenient?—Yes; but I think there are few towns of such importance as the City, where the streets are so very narrow—many of them were; but now they are practically doubled in width to what they used to be.

1722. (*Lord Farrer.*) Then, is there not this distinction between the Commissioners of Sewers and the vestry, that they either have a fund in hand or they have a power of borrowing and using the funds, and the vestry must, in order to carry out an improvement, get a special loan for the purpose?—Yes, there is that difference.

1723. Is there not that distinction?—Yes, there is that difference.

1724. That is a very material distinction, is it not? It would be.

1725. The vestries have just the same power under Michael Angelo Taylor's Act as the Commissioners of Sewers have?—To carry out improvements, certainly.

1726. You give, on page 17, a list of the main streets that are widened wholly or in part?—Yes, those are the main streets that have been done. Then there is a long list from page 75, Appendix B., practically, I suppose, embracing, as I said just now, every street in the City, and some of which are being carried out now. It is impossible to complete an improvement in the City, it would be impossible, I mean, considering the cost, to carry out a complete street improvement in the City, because we have to buy the businesses, and there are several interests to purchase; besides the freeholds, the freeholders' and the leaseholders' interests, there are the traders' interests; they have reached such an enormous amount that it is impracticable to do it.

1727. (*Chairman.*) It must be done bit by bit?—Bit by bit.

1728. You would not undertake Ludgate Hill, as you have widened it, from top to bottom, at one stroke?—Well, we could have done it at less cost, perhaps, than the entire improvement has come to. But there are difficulties in the way, the cost to begin with is so great.

1729. The cost of the "bit by bit" work must be enormous?—Yes, it is enormous.

1730. (*Lord Farrer.*) And you get the inconvenient condition of things pending completion?—There is no doubt in the narrow streets in the City we carry out our improvements very much cheaper doing it piecemeal than we should doing a street right off, because we embrace the opportunities when buildings—many of them being old—are rebuilt, to buy and set back, and then do so again next door as those buildings should be erected.

(*Mr. Blake.*) And in some of the narrow streets to purchase property merely for a "lay-by" is almost as good as the improvement for a through traffic, because it is letting a waggon pass: it is not like Cheapside or Ludgate Hill where you want to provide for the general traffic.

1731. (*Chairman.*) In the case of the narrow streets running parallel, you use one for going in one direction and another for going in another direction?—Yes, that is a police arrangement.

1732. (*Mr. Crawford.*) I see Mr. Rotton, in his evidence with regard to vestries and the Commissioners of Sewers, says this in answer to a question put by me:—"(*Q.*) May I take it generally, Mr. Rotton, "that the Commissioners of Sewers have far more "extensive powers than the ordinary vestries or "district boards?—(*A.*) They have all the additional "powers which are given by the City of London "Sewers Acts, 1848 and 1851, they have the same "powers as the vestries under Michael Angelo "Taylor's Act, and under the Public Health (London) "Act, 1891. They have the powers therefore of "their own Acts in addition. (*Q.*) What I more "particularly refer to is this, that whereas to a "certain extent the vestries and district boards are "controlled in some instances by the County Council "and in other instances by the Local Government "Board, the Commissioners of Sewers are not so con-"trolled in those matters?—(*A.*) They are not to be "controlled, I think I may say, in any case by the "County Council; they are controlled only by the "Local Government Board in the case of a complaint "of default under the Act of 1891."*

1733. (*Lord Farrer.*) That was the point I was coming to. I was going to ask whether another very leading distinction between the Commissioners of Sewers and the vestries is, that there is a certain control over the vestries by the County Council which there is not over the Commissioners of Sewers?—That is so.

1734. Can you give the cases in which that occurs? They are given in a paper that has been put in by the County Council, and it would save time if you could look at that and tell us whether the law is correctly stated. It is headed "Return showing Powers and Expenses which run throughout the Administrative County of London, and those which do not extend to the City of London," and the part I refer to is from page 24 to the end. There are statements in that return showing how far the powers run in the rest of London—powers which do not run in the City—and we should be much obliged to you if you would check that and see whether it is, in your opinion, accurate. I do not mean accurate as to any observations that are made, or inferences drawn, but whether the statement of the law is accurate or not?—Yes.

1735. (*Mr. Crawford.*) You see that statement mixes up matters which are controlled by the Corporation apart from the Commissioners altogether. I see various matters are referred to—tramways, petroleum, weights and measures, &c.

1736. (*Lord Farrer.*) We can get at it in that way merely as regards the Commissioners of Sewers. I made out from that, that under the following Acts the powers are exercised by the Commissioners of Sewers independently and without any control by the Council which in other parts are to a certain extent exercised under the control of the councils. Building Acts, 1855 to 1882 (p. 24); Sky Signs Act, 1891 (p. 24); Overhead Wires, 1891 (p. 24); Housing Working Classes, 1890 (p. 24); Offensive Businesses and Health, 1891 (p. 25)?—(*Mr. Blake.*) In the main that is quite correct.

1737. That is as regards the Commissioners of Sewers?—Yes, quite so.

1738. The City is separate?—Yes.

1739. (*Chairman.*) In respect of paving and lighting your powers exactly correspond to those of the vestry, do they not?—(*Mr. Bridgman.*) Yes, they do.

* *See* Rotton, 644–5.

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(*Mr. Blake.*) I expect they do, and I expect the Act of 1855 was in a great measure copied from the Sewers Act of 1848, judging from the language.

1740. (*Mr. Smith.*) That is the Metropolitan Management Act?—Yes.

1741. (*Lord Farrer.*) And I wish you would, in looking through that return, tell us, if you can, what you think the financial effect of withdrawing the jurisdiction of the Commissioners of Sewers from the control of the council is, because with regard to the things which the Commissioners of Sewers can do without the council they do not contribute to the metropolitan rate. You know we have a special county fund and a general county fund?—Yes.

1742. I wanted, if you could tell us, what the financial effect of the exemption of the City is—certain expenses attend all this administration?—Yes.

1743. Well, the expense of administration in the City is borne by the City?—Yes.

1744. And they do not contribute to the expense of the administration outside?—Well, only as ratepayers.

1745. No, not even as ratepayers. The effect would be, would it not, that, if the expense in the City is as large in proportion as it is outside, the City pays as much now as it would do if it formed part of the general system. If, on the other hand, the expense of administration is small it is withdrawing a very rich area from contribution towards the metropolitan expenses?—I suppose the explanation is this, that at the present time the expense is comparatively small in the City; but you must take into account the original large outlay of establishing, which is lost sight of; and if you take that into account the outlay in the City would be considerably more than an eighth of the whole.

1746. We shall be very glad if you will give us your view of the financial effect?—(*Mr. Bridgman.*) Certainly, my Lord.

1747. Might I ask you how your audit is managed?—(*Mr. Blake.*) There are three auditors appointed by the Court of Common Council, and paid by them to audit our accounts.

1748. (*Mr. Crawford.*) Three professional auditors?—Three professional auditors.

1749. (*Lord Farrer.*) There is no audit by independent officers such as is the case with the London County Council by the Local Government Board?—No. The Court of Common Council are totally distinct from us, and their auditors are distinct.

1750. (*Chairman.*) It is an internal audit really within the City?—Within the City, but outside our body.

1751. So far as the Corporation is outside you?—Yes—(*Mr. Bridgman.*) By a professional auditor.

1752. But there is a matter of discretion, I suppose?—(*Mr. Blake.*) They are sworn auditors.

1753. (*Mr. Crawford.*) If you look at section 46 of the Sewers Act of 1848 you will find that you are bound to have auditors appointed by the Court of Common Council, and they are bound to make a declaration as to the accuracy of their audit before a magistrate.

1754. (*Chairman.*) That may be; but that does not peremptorily mean professional auditors.

1755. (*Mr. Crawford.*) Not necessarily professional; but you may take it, on no occasion has any auditor been appointed except he has been a professional accountant?—Yes.

1756. And they are always persons appointed outside the Common Council?—Yes.

1757. They cannot be Commissioners, it distinctly states in the statute?—Yes.

1758. (*Chairman.*) With respect to the water supply, I see that you are the authority for supplying water for street purposes, and you have also incurred some expense in sinking an artesian well?—(*Mr. Bridgman.*) Yes.

1759. (*Mr. Crawford.*) Before you leave the question of the audit, may I take the liberty of drawing your attention to the fact that there is power given to appeal from the auditors. The auditors may disapprove certain accounts, if they choose. There is power given to appeal to quarter sessions; so there is something more than a mere internal audit.

1760. (*Lord Farrer.*) Who can appeal?

1761. (*Mr. Crawford,*) Any person can appeal.

1762. (*Mr. Smith.*) That is against surcharge?

1763. (*Mr. Crawford.*) Against surcharge.

1764. (*Mr. Smith.*) Is it an appeal against the surcharge—that is important—is it a right of appeal given to persons surcharged, or is it a right of appeal given to the public?

1765. (*Mr. Crawford.*) I think it would be better to give the exact section: "And be it enacted, that "the auditors so appointed as aforesaid shall forthwith, or at the time appointed for that purpose, "attend at the office of the Commissioners, or at some "other convenient place to be appointed by the "Commissioners, and from time to time shall, in the "presence of the clerk in case he shall desire to be "present, proceed to audit the accounts of the Commissioners for the year preceding the appointment "of such auditors, and the Commissioners shall by "their clerk produce and lay before such auditors at "every such meeting the statement and account "herein-after mentioned, accompanied with proper "vouchers in support of the same, and all books, "papers, or writings in their custody or power "relating thereto; and if the said account shall be "found to be correct, such auditors shall sign the same, "and if such auditors shall think that there is just "cause to disapprove of any part of the said accounts, "it shall be lawful for such auditors, or any other "persons interested in the said accounts, to appeal "against any such part of the said accounts as shall "be so disapproved of to one of the two then next "general quarter sessions; notice in writing of such "appeal being given to the clerk fourteen days, "at the least, prior to the hearing of such appeal." Clearly, under that a ratepayer would have a right of appeal, he would be a person interested in the accounts.

1766. (*Mr. Smith.*) It is something more than a check and voucher audit.

1767. (*Mr. Crawford.*) It is something more than an internal audit.

1768. (*Lord Farrer.*) Has that ever been acted upon?——

1769. (*Mr. Crawford.*) I am afraid I am too young an officer to be able to say?—(*Mr. Blake.*) I do not remember a case in the 42 years I have been connected with the Commissioners of Sewers.

1770. (*Chairman.*) I was going to ask you a question as to the range of your authority in respect of water?—(*Mr. Bridgman.*) We supply the water for street purposes and for the artizans' dwellings ourselves direct now from our well, and previously the water was supplied by the New River Company.

1771. The well supplies the artizans' dwellings?—Yes.

1772. You have got more than one block of artizans' dwellings?—Oh, yes; there are five blocks.

1773. Does one well supply the whole?—One well supplies the whole. The object primarily was, I think, to see whether good water could be obtained in the City, and we find we can get most excellent water.

1774. (*Lord Farrer.*) Can you get a large quantity?—We can get a large quantity, and we are now considering the question whether or not it is possible to water the streets from the same source.

1775. I suppose it is very good water you get from the artesian wells?—The full particulars are contained in page 25.

1776. (*Chairman.*) That was an expenditure on capital account; do you consider that you have got power without limit to go to an expenditure of that kind?—To water the streets?

1777. No, to sink the well?—Oh, yes, under the Sewers Act. (*Mr. Blake.*) We had power to sink the well.

1778. (*Lord Farrer.*) Would the auditor take any notice whether the money was expended on capital account or revenue account?—He does not consider we have got any capital account.

1779. (*Chairman.*) At all events he would discriminate as to whether you charged it to your rates, or charged it to your improvement fund?—Oh, no doubt of that; there is an improvement account.

1780. Would he allow such an item of charge as that to go into your improvement fund?—No, he would take it out at once, as being irregularly placed.

1781. He would consider that it must be charged to your annual expenditure?—Yes.

1782. And met by rates?—Yes.

1783. It has been so charged as a matter of fact?—Yes.

1784. And the only limit to this expenditure is that probably you would not be able to stand it out of the rates, since it is treated as an annual expenditure?—(*Mr. Bridgman.*) That is so.

1785. (*Lord Farrer.*) What I wanted to get at was, would he allow, for instance, money that you have borrowed, capital money that you have been borrowing, to be applied to the making of the artesian well?—As the case has never occurred, I cannot tell, of course, what he would do; but we are very particular.

1786. You never tried to do it?—No.

1787. You would not think yourself authorised to do it?—No.

1788. (*Mr. Crawford.*) I think you will find you have got a special power under your Act of 1848, which is rather an exceptional power, section 147: "And be it enacted, that the Commissioners shall "have full power and authority to cause the streets "to be watered as often as they shall think fit, and "also to cause any wells to be dug and sunk in such "places as they shall think proper, and also to erect "and fix any pumps in any public places for the "more effectual supply of water to the inhabitants of "the City," so that it does contemplate the supply of water to inhabitants; therefore I take it that an auditor would somewhat hesitate before treating this as an improper expenditure.

1789. (*Lord Farrer.*) No, but the question is whether in the clauses that relate to the borrowing of money there is power to spend the capital that you borrow for that purpose. That is the point that I wanted to get at. To turn to another point, do you think, so far as you can judge, that if you had power to supply the inhabitants with water, there would be sufficient water from these wells to do it?—I think there can be no doubt that we can get sufficient water under the City of London to supply the City.

1790. And you say you cannot compete with the New River Company?—No, we cannot; I suppose it would be a question whether we could charge; we cannot lay pipes.

1791. There would be a great practical difficulty?—Yes.

1792. Legal difficulty or not, you think if these restrictions were removed you could get a sufficient supply of water under the City to supply the City?—Yes.

1793. (*Mr. Smith.*) Do you go through the chalk into the greensand?—We do.

1794. You do not reach the greensand?—(*Mr. Ross.*) Not the lower greensand.

1795. You go through the London clay?—Through the London clay, and the Woolwich beds.

1796. You find it in the water-bearing strata of chalk?—In the fissures.

1797. You have only one well?—(*Mr. Blake.*) Only one.

1798. You have had the good luck to alight on a fissure?—We have a plentiful supply of water of excellent quality.

1799. You have laid on your water to your dwellings?—Yes; it has been worked for a year and a half or two years.

1800. What do you consider would be the cost of supplying that water—a similar supply—if you got it from the New River Company?—I think our supply costs more than the New River Company would charge, because we have had the cost of sinking the well. We could supply a larger, a much larger, quantity of water by the same machinery that we have now, but of course at the present moment we are only supplying the artisans' dwellings.

1801. (*Lord Farrer.*) So that if you extended your area the expense per head would be less?—A great deal less, of course.

1802. (*Chairman.*) And in estimating the cost, do you take in the total cost of sinking the well, or the annual interest of sinking it?—We are obliged in comparing the cost of the water of the well to take into consideration the first cost of construction, and I think it comes to twice the amount that the New River Company would charge.

1803. (*Lord Farrer.*) To what depth does the well go?—(*Mr. Ross.*) 512 feet.

1804. (*Mr. Smith.*) Can you tell me as a matter of curiosity how far you imagine you are from the bottom of the chalk there?—I could not tell you, but the chalk at that depth assumed a different character, it became sticky and plastic.

1805. (*Lord Farrer.*) I see one of the functions you speak of is watching Bills in Parliament; what power have you of spending money upon either promoting or opposing Bills; can you promote or can you oppose?—(*Mr. Bridgman.*) There is all power under the Sewers Act of doing both.

1806. You have power to do both?—Yes.

1807. Have you power of promoting Bills and spending money for the purpose?—(*Mr. Baylis.*) We have never done such a thing.

1808. It is all done by the Corporation?—Yes, entirely.

1809. You never appear to oppose a Bill as Commissioners of Sewers?—(*Mr. Blake.*) Yes, we do, if we think the citizens are injured by it.

1810. Without going through the agency of the Corporation?—Yes, it so happens that the same officer acts for the Corporation and the Commissioners of Sewers.

1811. (*Mr. Crawford.*) Take the Public Health Bill, opposed by the Corporation and the Commissioners of Sewers?—(*Mr. Baylis.*) Yes, and railway Bills and all such like.

1812. (*Lord Farrer.*) I see in one of your lists here of expenses, certains sums of money for watching and opposing Bills. Can you tell us to what Bills those relate?—(*Mr. Blake.*) No, I cannot tell you now.

1813. Legal and parliamentary expenses, 2,452*l.*, page 12, I think?—(*Mr. Bridgman.*) Underground railways we have had a good deal to do with.

1814. Has any of it been in opposing the London County Council?—(*Mr. Blake.*) There might be a trifle.

1815. There was some difference between them and you on the subject of overhead wires, and of sky signs there. I suppose you were opposed to the Council; or would the City do it?—(*Mr. Baylis.*) Oh, no, we only appeared on it, and there was no expense incurred on that Bill.

1816. (*Mr. Crawford.*) I may say that the statement which is going to be put in by the Corporation contains full details of the whole of the Parliamentary work of the Corporation, including the Commissioners of Sewers, since 1881.

1817. (*Lord Farrer.*) What I wanted to get at—what was the distinction. There are charges here in the accounts of the Commissioners of Sewers; I wanted to find out what were the functions of the City and the Commissioners of Sewers respectively in opposing Bills.

1818. (*Mr Crawford.*) Anything which directly affects the ratepayers, as apart from the Corporation, would be opposed on behalf of the Commissioners of Sewers. In that case the City Remembrancer, assuming that he had to incur the expense of counsel's fees, would charge the Commissioners of Sewers with the actual disbursements for counsel's fees, but his

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own time and the time of his staff in all instances would be paid for by the Corporation.

1819. (*Mr. Smith.*) I think it is a matter of general law rather—this. The inability to expend money on the part of corporate bodies generally, with regard to parliamentary proceedings, arises under statute. It arises under what is known as the Borough Funds Act, which is a special Act, which we are all acquainted with. Then it also arises to some extent under the provisions of the Local Government Act of 1888, but you know the Borough Funds Act was a good deal broken into in the matter of opposing Bills by the case of the Attorney-General *v.* the Mayor of Brecon, where it was held, notwithstanding any provision in the Borough Funds Act, that a corporate body, implying by that all corporations, all local boards, and so on, were justified in taking parliamentary steps and appearing before Parliament in defence of any of their interests. And that was a very material hole in that Act of Parliament, and we always act in Birmingham upon that and we should appear in any case where we thought we had a right to.

1820. (*Mr. Crawford.*) That was distinctly reported upon to Parliament, and with regard to that——

1821. (*Lord Farrer.*) There is no doubt whatever that both the Corporation and the Commissioners of Sewers have power to spend money upon parliamentary proceedings affecting the ratepayers—affecting the inhabitants of the City.

1822. (*Mr. Crawford.*) There is no doubt.

1823. (*Lord Farrer.*) I mean, is that the fact?—(*Mr. Bridgman.*) I understand it to be so. (*Mr. Baylis.*) That is so.

1824. (*Mr. Crawford.*) I should not dispute the proposition, Lord Farrer, having regard to the decision to which Mr. Smith has alluded.

1825. (*Lord Farrer.*) I put it in another way; are the City and the Commissioners of Sewers bound by anything in the Borough Funds Act?

1826. (*Mr. Crawford.*) No, but you see this: so far as the Commissioners of Sewers are concerned they have to come within the four corners of any particular statutes that affect them, but the Corporation are not so tied, and, therefore, if the Commissioners wish either to promote or oppose anything which does not fall within their particular powers they do it by going to the Corporation, and the Corporation helps them.

1827. (*Lord Farrer.*) There is a question about which there has been a good deal of talk lately, about which I wanted to ask you. Your sewers rate is half of it chargeable upon the owner; do you actually charge that rate upon the owner?—(*Mr. Blake.*) The owners at the present day get rid of that liability on the terms of letting their property. It is really, in effect, paid by the occupier.

1828. (*Mr. Smith.*) It is a common clause in leases, I think?—I have no doubt.

1829. Including the sewers rate?—Yes.

1830. (*Lord Farrer.*) I think the Metropolitan Board of Works has contributed somewhere about half-a-million — nearly 600,000*l.*—towards improvements in the City?—(*Mr. Bridgman.*) Yes, I think more than that altogether; I think some 591,000*l.* out of a total cost of improvements, 3,026,000*l.*—the net cost.

1831. And how much of that 3,000,000*l.* was paid out of rates in the City and how much out of coal dues and other sources?—Nothing out of coal dues and other sources; the Commissioners of Sewers have had no control whatever over the coal dues.

1832. Has that been entirely out of rates, the rest of the 3,000,000*l.*?—(*Mr. Bridgman.*) This is the net amount, this 3,000,000*l.*, less 591,000*l.*

1833. The whole of that has been paid out of rates?—The whole of that has been paid out of rates.

1834. That is over and above everything that the City has done in the way of improvements out of the coal dues?—(*Mr. Bridgman.*) Yes, that is quite distinct.

1835. I think at page 17, you say, "In addition to "this special outlay the ratepayers of the City have "contributed annually about one-eighth of the cost of "the improvements made in the Metropolis outside "the City." How do you arrive at that?—That is in the shape of rates paid by the citizens you know. (*Mr. Blake.*) One-eighth of any expenditure by the Metropolitan Board of Works or by the County Council in all districts, yes.

1836. Not one-eighth of the improvements made by the Metropolitan Board of Works or by the London County Council?— To all improvements effected or paid for by the London County Council or the Metropolitan Board of Works the City contribute, we consider, one-eighth of the whole.

1837. That is to say, the proportion of the rate of these improvements paid by the City ratepayers has been one-eighth of the whole sum paid by the ratepayers of London?—Yes.

1838. I do not think you give us here, do you, anything like a statement of the cost and recoupments in respect of what you have done for artizans' dwellings; is it in your paper?—(*Mr. Bridgman.*) The entire cost is stated here at 236,604*l.*

1839. How far has it paid you, or how far has it been a loss?—(*Mr. Blake.*) There has been a considerable loss. (*Mr. Bridgman*) The total cost has been 236,604*l.*

1840. (*Chairman.*) That is the clearing, is it not; that is not the erection?—That is the cost of clearing; the cost of the building was 80,389*l.*

1841. (*Lord Farrer.*) They cleared two sites apparently for 236,604*l.*?—(*Mr. Blake.*) Yes, in consideration of the Commissioners building on the one site the Secretary of State excused the Commissioners from building on the other, liberating the other site from being devoted to artizans' dwellings purposes.

1842. Did they sell that site?—They have not sold it yet; it is for sale.

1843. They erected dwellings on the other site?—They erected dwellings on the other site.

1844. Have you ascertained how far these dwellings have paid?—We reckon they pay us about one and a half per cent. of the outlay for the site.

1845. That is including the cost of the site and of the clearing off of the buildings?—Yes, I take it so.

1846. (*Chairman.*) The outlay is about 200,000*l.*?—Yes.

1847. And they pay you about 3,000*l.* a year?—Yes, or rather more than that.

1848. (*Lord Farrer.*) That is not after deducting outgoings?—Yes.

1849. Are they occupied?—Yes.

1850. Fully occupied?—Yes, fully occupied.

1851. The City, I think, does not contribute anything towards the schemes under the recent Acts, under Part I. nor under Part III. of the Act of 1890, do they? There again they are separate, they undertake their own business within their own area with regard to that?—Yes.

1852. Then the City, not being a great place of residence for artizans, that is an exemption to the City from the expense towards the crowded areas outside?—If you take the cost incurred by the City it represents more than one-eighth of the whole of the similar expenditure for London.

1853. What they have already done you mean?—Yes, under the Artizans' Dwellings Act.

1854. (*Mr. Crawford.*) And in addition to that the Corporation itself has erected artizans' dwellings.

1855. (*Lord Farrer.*) They have, independently of the Commissioners of Sewers?

1856. (*Mr. Crawford.*) Oh yes, certainly.

1857. (*Chairman.*) The amount you received from the Petticoat Lane buildings seems to be larger than you suggested, if this account is to be trusted. Number 4, page 44, on the left hand side the amount received was 5,500*l.*?—(*Mr. Blake.*) That is merely the chamberlain's cash account.

1858. You have got the interest on the land for the two sites; one site you will sell, and repay probably

a good deal of it; the other site costs in round figures 200,000*l.*?—(*Mr. Blake.*) Independently of the interest, if you take the rates and taxes and outgoings from the rents received, it comes to very near the figure stated.

1859. Rates and taxes 1,000*l.*?—Yes. It might be convenient to the Commission if I hand in the parliamentary return of 1888, which shows exactly the amount of the artizans' dwellings expenditure by the County Council and by the Commissioners of Sewers.

1859*a*. (*Lord Farrer.*) What class of people use your artizans' dwellings, are they the higher class of artizans?—I can scarcely tell you that, except that I think there are very few real artizans amongst them.

1860. Not artizans?—I do not think so.

1861. What are they, clerks?—People employed in all sorts of ways, but I cannot say whether they are clerks or not. (*Mr. Bridgman.*) I think they are labourers and artizans. I always understood so. I do not think that there are any clerks there (*Mr. Blake.*) No, I do not say that they are clerks, but they are all sorts and descriptions of people. (*Mr. Ross.*) There are a good many Jews there. (*Dr. Saunders.*) There are a good many Jews there, but they have turned out a good many Jews. They have been very troublesome, I think. (*Mr. Blake.*) It is a very troublesome locality, I think—Middlesex Street—it is a very troublesome locality.

1862. (*Chairman.*) The Metropolitan Board of Works have a block close by, have they not?—I think they had, in Wentworth Street.

1863. In Wentworth Street, Whitechapel, close by your block?—Yes.

1864. (*Lord Farrer.*) Have you in contemplation any more work of that kind?—(*Mr. Bridgman.*) Not at the moment.

1865. (*Chairman.*) You have not a large population of that kind to be provided for?—Well, there is a great number of poor people in this particular locality, in that particular part. (*Dr. Saunders.*) It runs through a colony of Jews, foreign and English Jews, a very dirty class of people, and it was most difficult to replace them in that building; they took the place, but we had to eliminate them, I think; they were too dirty.

1866. (*Lord Farrer.*) Is Houndsditch within the limits of the City. (*Mr. Bridgman.*) Oh, yes, we extend much beyond Houndsditch. Middlesex Street is considerably east of that.

1867. (*Chairman.*) Going back to this for one moment; according to this account the rents received were 5,589*l.*, the rates, taxes, and repairs were 1,640*l.*, making 3,900*l.*, nearly 4,000*l.*?—(*Mr. Blake.*) Yes. The City rates are not charged—our own rates the consolidated and sewers—which they would be if they were in the hands of any other people.

1868. With that deduction you think it would bring it down to about 1½ per cent. on the original capital?—To 1½ per cent., I think.

1869. The original outlay being 200,000*l.*?—Yes.

1870. That is quite irrespective of any sinking fund?—Yes.

1871. (*Mr. Smith.*) Just bearing on that, I suppose you would agree with me that there could hardly be a worse place for the development of artizans' dwellings than the City of London, the enormous cost of it would render it almost prohibitory?—(*Mr. Bridgman.*) It would, no doubt.

1872. And apparently from what you have told us the need was not very great, not in the City?—Well, seeing that the buildings are quite full, I think that would go to show that there was a necessity for them.

1873. But your population for the square mile—your night population—is not large?—Not the night population; no.

1874. Compared with the enormous rateable value, and the immense importance of the area for other reasons—I am speaking from analogy of other towns—we find that it does not pay to build artizans' dwellings in the centre of our towns?—Oh, no, it does not pay; it is sure to be a loss. (*Mr. Ross.*) The price of the land is always prohibitory.

1875. And that would point to a rather larger area, of course.

1876. (*Chairman.*) This is on the eastern fringe of the City?—(*Mr. Baylis.*) Yes.

1877. Would those people be much incommoded if they went outside that city area to live, just on the other side?—(*Mr. Blake.*) It is very difficult for me to give an answer to such a question.

1878. Is their work inside or outside the City?—Partly in and partly out, I think. (*Mr. Bridgman.*) The character of the people in the streets on just both sides of the border is almost the same, you can scarcely distinguish between the two.

1879. (*Mr. Smith.*) Not knowing the district very well, I should have selected Houndsditch as the one difficulty that you have to contend with. That is a peculiar locality where you would have to build—you would be compelled by law to build—but there would be no great hardship in sending them a little further?—Not very much further. They might just as well have been built in Whitechapel, so far as convenience is concerned.

1880. It is a historic settlement, and you feel bound to respect it to some extent.

1881. (*Lord Farrer.*) Just to recur to the question of borrowing. You have no sinking funds?—(*Mr. Blake.*) Yes we have, under one Act in regard to one loan.

1882. I wanted to get the difference of working—it is the same thing. You borrow upon bonds which are drawn and paid off?—Some of them, but in this case the sinking fund will accumulate until the end of the time, I suppose.

1883. There is in one case—which case is that?—The half-million loan. (*Mr. Bridgman.*) The 500,000*l.*, at the bottom of page 10, the last paragraph.

1884. And all the others are temporary bonds which are drawn and paid off from time to time?—(*Mr. Blake.*) In the case of the first one there is 150,000*l.*, which was borrowed in 1876 from the London Life Association, extending over 60 years, and repayable by half-yearly payments.

1885. (*Chairman.*) That is the same thing. You pay them back a certain sum every half-year?—Every half-year.

1886. In this and the other cases you draw bonds every year or half-year, but in the case of the half million loan you accumulate a sinking fund to provide for the repayment of the loan?—At the end of the time.

1887. (*Lord Farrer.*) Is there any allowance made to the Commissioners of Sewers for attendance?—(*Mr. Bridgman.*) None.

1888. They are quite unpaid?—They are quite unpaid.

1889. (*Mr. Crawford.*) Am I correct in saying that in fixing the number of commissioners for the several wards regard was had to the rateable value and the number of freemen occupiers?—I cannot answer that question.

1890. Mr. Blake may recollect that in 1866 there was a special inquiry by the Court of Common Council, and a report presented and the number fixed, having regard to the rateable value and the number of freemen occupiers, and the persons rated?—(*Mr. Blake.*) I am not aware of that.

1891. As a matter of fact, you know that in 1866 they altered the Commission?—They altered the Commission.

1892. And that it was superseded by the issue of a fresh commission?—The previous commission then existing was substituted by another.

1893. Although the prior commission had been sealed about two or three months previously?—Sealed about two or three months previously.

1894. And under the new commission the number was added to?—The number was added to.

1895. Mr. Bridgman, with your experience, do you find it to be of advantage that a corporator should be

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a commissioner of sewers?—(*Mr. Bridgman.*) Oh, undoubtedly.

1896. (*Chairman.*) Will you explain that, what you mean by that?—There are, I think, several matters which come to the knowledge of a common councilman, and which are useful to him as a commissioner of sewers.

1897. Could you illustrate it?—Well, by being on the markets committee one knows the nature of the work that ought to be done by the sanitary authority, for instance, by the Commissioners of Sewers, such as paving work, or the repair of floors, in connexion with the markets. That is one instance. They seem to be very much bound up, the one with the other.

1898. (*Mr. Crawford.*) Then again, in connexion with improvements—— ?—The same with regard to the bridges and the bridges committee. There are works carried out there by the bridges committee, such as paving works, and the Commissioners of Sewers have the cleansing.

1899. I was going to ask you, in regard to the markets, is it not a fact that, although some of the streets immediately adjoining are really the private property of the Corporation, yet the sewering and scavenging are handed over to the Commissioners of Sewers?—It is all done by the Commissioners of Sewers.

1900. And in many instances members who are on the markets committee are also Commissioners of Sewers?—Oh, yes.

1901. Take again the approaches to bridges, there again, although the bridge itself is the property of the Corporation, yet arrangements are made with the Commissioners of Sewers with regard to the cleansing?—Oh, yes, it is all done by the Commissioners of Sewers.

1902. And on the bridges committee there would necessarily be members who would also be Commissioners of Sewers?—Yes, I have been so myself.

1903. The Commissioners of Sewers, I believe, have nothing whatever to do with gas, have they?—We control the public lighting.

1904. Yes, but you have no control over the public gas companies?—That is in the hands of the corporation—the county purposes committee.

1905. Take water, apart from the question that you have already alluded to?—That is in the hands of the Corporation.

1906. What is in the hands of the Corporation with respect to water?—The water supply of the City. There used to be a gas and water committee, of which I had the honour of being chairman, for dealing with all questions affecting the supply of water to the City, such as constant supply, and the testing of gas for its quality. All those matters came under the supervision of that committee, and they have now been transferred to the county purposes committee which took the place of the gas and water committee.

1907. Was not the introduction into various Gas and Water Acts of clauses for the protection of the citizens secured by the Corporation and not by the Commissioners of Sewers?—Oh, yes; when I was chairman myself several water companies applied for additional powers and increased capital, and I know of one important case in which there was the introduction of a clause compelling the companies to go to the public for their money, the same as, I believe, the gas and water companies are obliged to do, and they could not, I think, pay more than 4 per cent., they were not allowed to pay more than 4 per cent., and the addition of another 1 per cent. for any incidental charges, the whole of the profits over than 5 per cent. having to go to a sinking fund for the purpose of ultimately buying up the water companies' interests. Well, now, I believe large sums have either been, or are being paid to the chamberlain for the purposes of a sinking fund, he having been appointed treasurer of the fund.

1908. He is trustee?—Yes. I think those are very important clauses, because, supposing the companies were to pay 10 per cent., 5 per cent. would go to the purposes of the company and the other five for the purpose of a sinking fund, and taking the capital at 100,000*l.* it would require I suppose, 30 years purchase to buy them up, which would mean 30 times 5,000*l.* to be paid for the company's undertaking.

1909. Take the Port Sanitary Authority, the Commisssioners of Sewers have nothing to do with them?—Well the Port Sanitary Authority controls the river from its mouth to some considerable distance up the Thames.

1910. And that is under the control of the Corporation?—Entirely under the control of the Corporation. The Commissioners of Sewers' sanitary authority only extends within the borders of the City.

1911. With regard to improvements, has it not happened more than once that, where the Commissioners have been unable to carry out a particular improvement, by reason of not desiring to inflict an unusual burden on the ratepayers, the improvement has been carried out by the Corporation?—Oh, frequently, in order to save the rates to the citizens.

1912. Take Cannon Street, Gracechurch Street, the alteration of Moorgate Street and Prince's Street, have not these been principally done by the Corporation?—Yes; and I see there is a contribution here of 43,000*l.* to certain improvements in the list which was enumerated just now.

1913. I was going to ask you, in addition to the ratepayers paying the expense of these improvements, is it not a fact that the Corporation itself has contributed to the funds of the Commissioners of Sewers in aid of improvements?—Oh, very largely so.

1914. In answer to the Chairman you stated just now that all the officers were appointed by the Commissioners of Sewers; you did not include in that statement, I assume, the treasurer?—Oh, no, the treasurer is the Chamberlain of the City, and he is paid by the Corporation.

1915. Do you happen to know whether you have greater powers as Commissioners of Sewers than the ordinary vestries?—I am hardly able to answer that question, only from recollection, as to the scope of the powers of the vestries.

1916. We were so informed by Mr. Rotton; I only ask you in consequence of an answer which you gave us just now?—Yes.

1917. Have you, as Chairman, or during your experience in connection with the Commissioners of Sewers, found any difficulty, or any clashing of interests by reason of the streets of the City being entirely under the control of the Commissioners of Sewers?—Oh, there has never been any difficulty.

1918. No clashing of interests with the London County Council or its predecessors?—Oh, no. I do not know of any difficulty having arisen; the County Council have control of some of the main sewers running through the City, but I do not think that there has been any difficulty; there has always been the greatest harmony existing, so far as I know, between the two bodies and with the Metropolitan Board of Works previously.

1919. Now in connection with the cleansing of the streets, do you undertake greater works in connection with the cleansing of the streets, than those which are done outside the city?—Well, we remove all dry refuse from warehouses.

1920. Take the street orderlies, for instance?—Yes; they are constructed along the streets about every 200 or 300 feet, and I think we have some 300 boys daily clearing the streets of all filth, and placing it into these boxes which are cleared during the night, so that the streets may be kept in a perfect state of cleanliness.

1921. (*Chairman.*) Vestries are doing similar work now?—I think those bordering on the City are, but not the outlying ones.

1922. That is not an organic difference of powers, it is a general emulation?—It is in order to keep up our reputation in the City for cleanliness

1923. (*Lord Farrer.*) Occasionally, in walking through St. Pancras, one could wish to be in the

streets of the City?—Yes, frequently, especially in snow times I take it, because while we get our snow away every night it is remaining for days and sometimes weeks elsewhere.

1924. (*Mr. Crawford.*) And do you find from your experience that you can raise money at a cheaper rate by borrowing by means of the Corporation than by borrowing on your own rates?—We have found that to be so.

1925. (*Lord Farrer.*) Your average rate, I think, is about 3½ per cent., is it not?—Yes. (*Mr. Blake.*) But we are able to borrow through the Corporation at 3 per cent., owing to the additional security they give.

1926. That enables you to borrow at 3 per cent.?—Yes.

1927. (*Chairman.*) It makes a larger stock for investment too, does it not?—Yes.

1928. A better stock for the market?—(*Mr. Bridgman.*) Ours are small amounts. If you are borrowing 1,000,000*l.*, 2,000,000*l.*, or 3,000,000*l.*, you get the advantage of the lower rate.

1929. (*Lord Farrer.*) Well the London County Council can borrow on still better terms?—I do not know whether they can borrow on better terms.

1930. They borrow at under 3 per cent., you know?—For large amounts. I was offered only a day or two ago a sum of 200,000*l.* or 300,000*l.* for 3¼ per cent.

1931. (*Chairman.*) Several of our rural counties are borrowing at 3 per cent., I dare say you could do the same?—This was a gentlemen who simply offered it for 10 years. We had money to put out.

1932. (*Mr. Smith.*) I think our 3 per cent. stock in Birmingham is over par?—Yes.

1933. There is a popular heresy that the more you owe, the more they are ready to lend you at a cheaper rate?—Yes.

1934. (*Chairman.*) This advantage, of which you speak of knowledge which you derive as a member of the Corporation in doing your work as a Commissioner of Sewers, springs from the division of the functions between the two bodies?—Yes.

1935. If the markets were brought under the Commissioners of Sewers all the knowledge that you get in respect of the markets as a member of the Corporation would come to you as a Commissioner of Sewers?—It would; but it would materially increase the duties that one would have to perform, if they had to be performed properly. It is extraordinary the amount of work to be done, that is all I know. It is vast. The markets themselves are an institution truly that creates wonder, to think that they can be administered so easily and so perfectly as they are by a small committee.

1936. Do you consider that there is any advantage in having the two bodies occasionally overlapping one another?—I do not suppose that there is any actual advantage, but we do not experience any disadvantage or any difficulty.

1937. It works easily?—Yes, perfectly so. I may say perfectly so.

1938. If you were constructing the thing *de novo* you would probably not set up two bodies?—Well, probably not.

1939. You have given us a list of your officers, have you not?—Yes, I think we have.

1940. And the salaries?—And the salaries are set out in detail; Yes.

1941. Amounting, the whole staff, to about 60,000*l.* a year?—That includes the whole of the various departments for cleansing, watering, scavenging, every possible item of our expenditure during the year.

1942. But the indoor staff, I think, costs about 13,000*l.* a year—the head office?—There is one item, 634 workers for such work as cleansing the streets, 30,000*l.* which cuts the amount into two at once.

1943. (*Mr. Smith.*) I take it roughly in this way, perhaps your accountant will tell me if I am right, that your total expenditure was 465,000*l.* in round numbers; of that 179,000*l.* is due to the School Board?—(*Mr. Blake.*) Yes, I think it is rather more than that.

1944. Leaving 286,000*l.* as what I may call your net expenditure. Of that, 119,000*l.* is for interest and repayment of loans, leaving 167,000*l.*, and of that, 60,000*l.*, I think, goes for salaries and expenses?—(*Mr. Bridgman.*) Yes, working expenses.

1945. (*Mr. Crawford.*) What has been the average rate in the £ that you have had to collect for the School Board?—The average rate—(*Mr. Blake.*) It has been going up from a little over ½*d.* to nearly 11*d.*

1946. Taking the last two or three years about 1*s.*?—(*Mr. Bridgman.*) 10*d.* or 11*d.* We have only one school, I think, in the City. (*Mr. Blake.*) Well, there are two just on the borders.

1947. But you have several ward schools?—(*Mr. Bridgman.*) Oh, yes. I think there is a ward school in almost every ward of the City. (*Mr. Blake.*) That is independently of the School Board's operations. (*Mr. Bridgman.*) Quite; the cost of these is defrayed largely by the citizens, and by certain endowments.

1948. (*Chairman.*) Elementary schools are these?—Elementary schools, yes.

1949. In each ward?—In each ward.

1950. Not parochial schools?—Not parochial, no.

1951. (*Lord Farrer.*) I see one item in your account, 600*l.* a year for committee allowance. Is that for the expenses of the committee?—Those are the expenses of the committee during the year.

1952. Expenses—travelling or what?—Well, no, they are chiefly expenses in connexion with the work of the committee.

1953. What sort of expenses?—At Guildhall.

1954. (*Mr. Crawford.*) I know what is being referred to. It is 600*l.* a year which is allowed by the Corporation out of its own funds to the Commissioners of Sewers for expenses; not out of the rates at all?—Oh, no; it is not out of the rates.

1955. (*Lord Farrer.*) What does it go to?—It is for refreshments, luncheons, and those sort of things, so that nothing should be charged to the rates.

1956. Not a penny goes into the pocket of anybody?—(*Mr. Bridgman.*) Oh, no. (*Mr. Blake.*) They are very much out of pocket.

1957. The Commissioners get their luncheons do they?—(*Mr. Bridgman.*) At times—not every day—not every day they meet.

1958. (*Mr. Crawford.*) I was going to ask you—you having experience as chairman—as a matter of fact does the chairman of the Commissioners of Sewers, if he does his duty properly, generally find out of his own pocket a considerable sum?—Well, I shall be able to tell you in a few months hence, but I know what it will be up to now; yes.

1959. As a matter of fact it is not any gain?—No, none whatever, but it is a great pleasure.

(*Mr. Blake.*) There were one or two questions in Mr. Rotton's evidence I was asked to look to that required explanation. "Having read through the first "and second days' evidence given by Mr. Rotton, I "would call the commissioners' attention to one or "two corrections or explanations that should be made. "On page 2, Question 37, the answer to the question, "'Does a ward divide a parish?' is 'Yes.' A ward "may be in more than one parish, and a parish in "more than one ward. On page 5, Question 81, "the explanation is given in the commissioners' state-"ment at page 6. On page 5, Question 85—as to "the number of the commissioners—the answer is 92, "as set forth on page 8 of the commissioners' state-"ment. Page 11, Question 186, where it is suggested "that the Commissioners of Sewers are not in any "way amenable to the Court of Common Council, "the answer is that the commissioners can be super-"seded by the appointment of a *new commission* at "any time by the Court of Common Council."

1960. (*Chairman.*) That we have had from you to-day?—"Page 16, Question 263, as to the City's

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"schemes under the Artizans Dwelling Act, the "answer is, as shown by Parliamentary Return in "1888, copy produced, and as referred to in the "commissioners' statement, page 24."

1961. They have carried out one scheme?—They have carried out one scheme. "Page 23, Question 353, "as to the commissioners' power to supply water. "The commissioners have power, under the 'City of "London Sewers Act, 1848,' section 147, to sink "wells, but they are advised that they have no "power to lay pipes or charge for the supply of water "to the inhabitants. With regard to the evidence "given by Mr. Charles Harrison on the third day, "at page 6, Question 874, he alludes to profit being "made by the City from the administration of the "dangerous structure portion of the Building Act. "The explanation of this is that it may appear in the "accounts of some one year that more has been "received than paid, but taking one year with another "it is impossible that any profit can arise to the City, "because they pay over all moneys received to the "contractors and surveyors, and at times there are "losses from non-recovery of fees and expenses." They cannot, by any possibility, get a profit, because they have to pay all the fees. Some years the balance would be on the other side. There is a small loss upon it, really.

1962. Anything more?—Nothing more.

The witnesses withdrew.

Adjourned.

SIXTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 3rd November 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, *Secretary.*

Sir D. Evans, K.C.M.G.

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SIR DAVID EVANS, K.C.M.G., Alderman, and late Lord Mayor of the City of London, called in and examined.

1963. (*Chairman.*) You are a past Lord Mayor?—Yes, I am.

1964. And you remain an Alderman of the Ward of Castle Baynard?—Yes.

1965. You are also Chairman of the Special Committee of the Court of Common Council?—I am.

1966. With reference to this inquiry; is that it?—The Special Committee; yes, in reference to this inquiry.

1967. Was it appointed—that committee—after this inquiry?—No, it was appointed before; it is appointed annually.

1968. There is a committee called the Special Committee?—There is a committee called the Special Committee.

1969. Is that appointed to consider new questions that may arise?—To consider any questions affecting the interests of the Corporation.

1970. And the conduct of the case of the Corporation before this Commission was referred to that committee?—To that committee.

1971. By a vote of the Common Council was it?—By the vote of the Common Council.

1972. You are also a member of other committees; will you tell us what?—Yes, a member of several committees. Indeed, I may say that I have served on almost every committee under the Corporation.

1973. This Special Committee of which you are Chairman has amongst its duties that of considering any matter before Parliament affecting the City?—Yes.

1974. You call the committee together whenever you think it necessary?—Yes, that is left to the discretion of the chairman.

1975. Have you had many meetings in reference to this matter?—A great many.

1976. Has the Blue-book been drawn up under the superintendence of that committee?—It has.

1977. And received its sanction?—Certainly.

1978. And the committee reports to the Court of Common Council?—From time to time.

1979. Has it made any report in reference to this matter to the Court of Common Council at large?—No; it has not done so as yet.

1980. You are also engaged in business in the City?—Yes; I am a merchant in the City.

1981. And have been for many years?—For many years.

1982. And you are connected with some of the Livery Companies?—Yes; I am connected with three of the Livery Companies, and I am on the Court of the Haberdashers' Company.

1983. That is one of the principal?—One of the twelve.

1984. You have served as Prime Warden?—No; but I am ripening for the Chair; within measurable distance of it.

1985. You were elected as common councilman as far back as 1874?—December 1874.

1986. For the ward of which you are now Alderman?—No; for my residential ward—that of Castle Baynard.

1987. You are now alderman for Castle Baynard, are you not?—No, for Cordwainer; I should say, correcting myself, I am at present the alderman of the Castle Baynard Ward.

1988. But you were elected for the Cordwainer Ward?—For the Cordwainer Ward in 1874.

1989. And you at once began to serve on committees?—I at once began to serve on committees.

1990. Do you wish to tell us something of the feelings with which you entered on your duties?—I entered on my duties as a reformer, with the full impression that there was lavish waste in the Corporation and general mismanagement, and it is an agreeable incident to be able to relate to-day I find after 19 years' experience that such an idea was an erroneous one.

1991. You mean that you have discovered that the expenditure is not extravagant?—Is not extravagant and the work is good.

1992. And is the organisation all that you could desire?—Yes, with the knowledge that in many matters of detail improvements go on each year.

1993. You desire to testify to the public spirit of the citizens who are members of the Corporation?—Yes, it has always struck me, and continues to strike me with the greatest surprise, that so many merchants of the City of London sacrifice so much of their valuable time in the discharge of their public duties as Corporators.

1994. Is it the case that the names of those who are best known outside the City as merchants and bankers within it are frequently found among the members of the Corporation?—No, I cannot say that we have many bankers, but we have a very large proportion of the commercial element.

1995. The leading merchants? — The leading merchants.

1996. (*Lord Farrer.*) Shipowners?—Some.

1997. (*Chairman.*) You served as a common councilman how many years?—Ten years.

1998. You were not a deputy?—No, I am now alderman.

1999. Before becoming an alderman?—No, I was never a deputy; I entered the Corporation when I was very young.

2000. Then in 1884 you were elected to the Ward of Castle Baynard?—I was elected alderman.

2001. There was a contest?—There was a contest.

2002. Could you tell us the numbers given on each side?—As to the number of votes?

2003. Yes?—As to the number of votes by which I secured the gown.

2004. No, the numbers given on each side?—On each side. I should say 350 I believe voted for me as against 260 for my opponent.

2005. A little over 600 altogether?—Altogether.

2006. Is that a large proportion of voters in that ward?—Yes. I was going to say that we polled them almost to a man; we polled them within a very small number of the total qualified to vote on that occasion.

2007. There are some wards much smaller than that?—Yes, very much smaller.

2008. And some much bigger? — Very much bigger.

2009. Is that about an average sized ward?—Yes, I should say so. The rateable value is a high one, viz. 141,000*l.*

2010. Is there any feeling about the quantity of representation in the Court of Aldermen in these wards of different sizes?—In what sense.

2011. Do the bigger wards protest that they are not adequately represented?—No.

2012. In the Court of Aldermen? — No, that question has never arisen there.

2013. It is like the Senate of the United States, a big State and a little State, a big ward and a little ward, have all the same representation?—All the same representation, yes.

2014. (*Lord Farrer.*) On the Court of Aldermen?—On the Court of Aldermen.

2015. (*Chairman.*) The Court of Aldermen has a good deal of patronage effectually in its hands, has it not?—Yes.

2016-7. In connexion with that fact is there ever a complaint?—No I do not believe in my nine years' experience that I have ever heard a complaint; you mean from the citizens?

2018. No, I mean a complaint on the part of a big ward that it has not got its fair share of influence through its representation on the Court of Aldermen in the distribution of patronage?—Never. I might mention that the average number of voters in all wards now is 1,173.

2019. Yours is only about half that size?—Yes.

2020. You have been for nine years an alderman?—Nine years.

2021. As an alderman you are an alderman for life?—An alderman for life.

2022. In what way are you still brought into contact with your electors?—That you remain as it were—you continue the father of your ward. The alderman of any given ward is, I am pleased to say, a highly respected individual, and in any matters connected more especially with his ward in particular, but not necessarily confined to the ward, in any matters affecting the interests of the citizens they invariably approach the alderman, and therefore I may very well say that the alderman of any given ward is in close touch with his constituents.

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2023. But supposing an alderman became a negligent father, what cure would there be?—I do not know then; I do not know of an instance of a case. My colleagues, I am proud to say, are a very hard-worked body, and take a very great interest in their magisterial and aldermanic duties.

2024. That remains so after a lapse of many years?—Oh, their interest remains, and though they may have become—some of them—a little bit infirm, nevertheless, take for example the case of the—not the senior member of the Court of Aldermen but the oldest member—Sir Andrew Lusk; he is I believe 86, if not 87, he still continues to discharge his duties as a magistrate and as chairman of one or two of our committees. He does his share of the work even to day.

2025. As an alderman?—As an alderman.

2026. In the Court of Aldermen is he also able—I do not wish to enter into a personal examination of his merits or demerits, but would an alderman of that age be generally available for work in connexion with his constituents?—Yes.

2027. Would he be accessible to them?—Yes; he is a wonderful man, very active.

2028. Occasionally an alderman retires?—Yes, and upon some occasions wisely so.

2029. It is entirely of his own sense of duty, his own feeling of discretion?—Yes, or it may be from a knowledge perhaps in ripening for the Chair that his position may be such as would not warrant him entering upon that office.

2030. If he thought there would be a difficulty in his being sanctioned as Lord Mayor, he might retire before then?—Yes, there have been instances.

2031. And you duly served as sheriff?—I served as Sheriff of London and Middlesex in 1885.

2032. You were Lord Mayor in 1891-2?—In 1891-2.

2033. You wish to say something as to the absence of all political issues in your civic elections?—Yes, I have always felt exceedingly proud of the fact that the Corporation is a non-political body, that whether it be with a common councilman or alderman during an election the question of politics never arises; the citizens look to the personal worth of the individual candidate, and irrespective of politics return him to the position.

2034. That is, they do not inquire whether a man is dubbed Liberal or Conservative?—They do not know it even; they do not put the question. I have never known the question put. It is a thing I have more than once referred to in my speeches as Lord Mayor during my year. I have always stated that with extreme pride, both within the City of London and upon the many occasions when officially I went outside the City of London. I think I recollect, in wishing the corporators good-bye on the last meeting of the council at which I was called upon to preside, and in referring to the many kindnesses shown me during my year, I referred to the question that in the matter of politics, and although I saw corporators in front of me I had known for many years, on my right hand and on my left, with the exception of very few cases I was absolutely ignorant of their politics.

2035. (*Lord Farrer.*) I suppose the interest of the Corporation is the great thing?—The interest of the Corporation.

2036. That interest has on the whole generally, it may be quite accidentally, coincided with that of one party in politics?—I do not think so. I think before

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the present political condition was arrived at that there were as many Liberals—what in those days we called Liberals. There were only two parties; some years ago there were as many Liberals in the Corporation as there were Conservatives.

2037. (*Chairman.*) You tell us that when you were elected a common councilman there was a sharp contest?—When I was elected alderman.

2038. Alderman?—Yes.

2039. When you were elected a common councilman there was none?—No; and that was accounted for in a great measure by the fact, I take it, of being at the head of a firm occupying very possibly the largest position, commercially speaking, in the ward; my neighbours were delighted to receive me.

2040. Is that a big ward?—No, not big.

2041. Is it as big as the one you now represent?—No, not quite so big, I think short by 100 votes.

2042. It is very much below the average?—It is very much below the average.

2043. Did you come forward in answer to a requisition in the first place?—Yes.

2044. You entered as a reformer?—I did.

2045. When you stood as an alderman did you issue any address?—Yes, and of course there was a contest; at one time there were as many as six candidates in the field.

2046. Ultimately they were reduced to two?—Reduced to two, and I secured the poll.

2047. What was the issue between you and your opponent?—As to any question?

2048. What was the issue on which the electors voted?—Oh, I rather flatter myself that they thought I was rather the better man of the two.

2049. They returned you, therefore we may conclude that; but why did they think you better; was it on account of opinions that you professed which were different from his, or on account of your standing in your neighbourhood?—No, they had regard for my long association with the Corporation, and therefore they felt that I should bring to bear, no doubt, a greater knowledge of Corporation matters than my opponent.

2050. Your opponent had not been a common councillor?—Yes, but not for the same period of time.

2051. How many years had he served?—I forget now in point of years; I was an older corporator at least, that is my impression.

2052. You were nine years?—Ten years a common councilman, nine years an alderman. As to the two wards—my residential ward and the ward I at present represent; my residential ward, Cordwainer, is now 3,400*l.* less in rateable value than Castle Baynard.

2053. As a Lord Mayor, what do you consider your most important duties?—The most important duties I regarded were those of chief magistrate; the term chief magistrate is applied to the office, and therefore my first thought was for the due and proper administration of justice.

2054. The amount of work as a magistrate done by a Lord Mayor differs very much from the amount of work of an alderman as magistrate?—Yes, as an alderman your magisterial work is regulated by rota, for instance this is my rota week, therefore I have sat with the exception of to-day the whole of the week, but as Lord Mayor one sits every day if possible.

2055. And that is severe work?—Yes, it is.

2056. (*Lord Farrer.*) At the Mansion House?—At the Mansion House.

2057. (*Chairman.*) It does not differ in character from the work of an alderman, but it differs in continuity?—It does, and I think, in fact I know, that the citizens, the public, not only expect, but like to see the Lord Mayor presiding, sitting in that Court.

2058. But it is a mere matter of local distribution what cases go to the Guildhall and what to the Mansion House?—Yes, it is north and south.

2059. Equally important duties go to the one and the other?—Oh, yes.

2060. But the Lord Mayor sits throughout his year whilst the alderman takes his week in rotation?—That is right.

2061. And beside that magisterial work, of course there is a great deal of ceremonial work?—Ceremonial work and charitable work. There is scarcely a day passes that the Lord Mayor does not preside at a meeting, held at the Mansion House generally, chiefly, or elsewhere, in the cause of charity. The work is enormous.

2062. I am not sure that that might not be called ceremonial work?—Scarcely. Well, it is more ceremony of the heart than anything else.

2063. He sanctions by his presence the object of a particular meeting?—He does, and he does an immense deal of good.

2064. And you felt when you were Lord Mayor that your experience as a commercial man was of great value to you?—Most valuable. Knowledge of accounts and knowledge of commercial—I was going to say law—commercial customs, indeed so much so that the aldermen of the City of London frequently have to give information or instruct counsel on either side, although counsel who appeared before us are very able, clever men. They lack very much a knowledge of the inner working of commercial life and customs.

2065. You think on the whole that a commercial man acting as magistrate is more efficient than a professional stipendiary?—I do, most decidedly; I hold very strong views upon that.

2066. (*Lord Farrer.*) In what sort of cases?—In fraud, falsification of accounts, forgery. Sometimes a complicated case is brought before either the Lord Mayor or the aldermen with piles of ledgers, and with the knowledge that an alderman, being a commercial man, has of commercial transactions, not only is he enabled to arrive more readily at a conclusion but he saves very valuable time.

2067. (*Mr. Crawford.*) Fraudulent bankruptcies?—Fraudulent bankruptcies more especially.

2068. (*Chairman.*) How do you account for the difference in action between the City of London and the City of Manchester and the City of Liverpool in most respects?—Of course, where they have stipendiaries as well all I should say by way of comparison is that we are better off in the City of London than they are; better placed.

2069. With a better stock of useful men?—I say so.

2070. It is the dearth of men suitable to fill the offices that causes these cities to undergo the expense of paying stipendiary magistrates?—It is not to save any expense; is that the question?

2071. No, no, no; it is the dearth of men suitable to fill the offices that causes Manchester and Liverpool to undergo the expense of paying a stipendiary magistrate?—I do not suppose that their system is the same as ours; their aldermen, I take it, do not possess the powers of the aldermen of the City of London.

2072. Oh no, certainly not, but still mayors for their term of office and a year afterwards are justices and they have a bench of commercial men?—Yes, but the work is chiefly done by stipendiaries.

2073. But they prefer to bring in stipendiary magistrates?—Yes. Well, as a merchant and with the knowledge I have of the magisterial working within the City of London I should elect for our system as against theirs.

2074. Would you from your experience within the City carry something of the same system outside the City?—Could it be extended?

2075. Would you desire to extend it or think it is worth extending?—There is not the same need for it outside the City as there is within, as the one square mile of course is the centre of the commerce of the world, and therefore, of course, the cases are commercial cases in the majority, but I see no reason whatever why a merchant should not administer justice outside the City as well as within. He would bring to bear outside the boundary of course sound common sense and the same experience.

2076. (*Lord Farrer.*) It is rather a matter of the subject matter of the business, is it not, than of local area?—No, not necessarily. It is more necessary, I take it, within the City of London that a man should have a knowledge of commerce and be familiar with commercial matters than it would be, say, in an agricultural district.

2077. (*Chairman.*) But if, to quote his name again, Sir Andrew Lusk took his turn as a weekly magistrate in a court at Paddington, near his residence, he would, you think, be as efficient as a magistrate in a court there, as in a court in the City?—Yes, because his experience within the City covers almost every possible kind of case.

2078. (*Lord Farrer.*) Are there many purely police cases in the City?—Yes, purely police cases; they are dealt with under what is termed police summonses. There are two days set apart in each week, Tuesday and Saturday. What is dealt with there is wanton driving, obstruction, &c.

2079. (*Mr. Crawford.*) Those are charges by the police?—Charges by the police. The presiding magistrate gets as many as perhaps 70 or 80 summonses altogether in one sitting.

2080. (*Lord Farrer.*) You say there are special days set apart for these summonses?—Yes.

2081. Then does your experience in the City tend at all in the direction of trying to separate the purely police cases from the commercial cases?—Yes, that is the object.

2082. Or from many other cases which now go before the police magistrate which are not of the petty criminal nature?—Quite so; but, of course, unless there was this separation, the work could never be got through in the time.

2083. (*Chairman.*) Your evidence goes strongly to the maintenance of laymen as magistrates within the City?—Yes. Oh, certainly.

2084. Is there any necessary connexion between that, and the existence of the Corporation as now constituted?—I do not quite understand the question.

2085. Could not the lay magistrates be maintained in the City, even though the Corporation itself were radically changed in character?—Of course, if you can imagine such a thing as the Corporation being swept away, the men would remain.

2086. The aldermen now are elected for different wards?—Yes.

2087. Would a different class of men be put on if they were nominated by the Lord Chancellor, with such means of information as he has at his command?—There would come in, you see, the political element then to a very large extent; it would depend then in a very great measure as to who was the Lord Chancellor.

2088. The Lord Chancellors profess that that is not the case?—Yes; well, I do not quite follow them.

2089. You think there would be more danger of the political element there than when it comes by popular election?—The selection by the citizens, and the election by them to the position of alderman, of course is one of great responsibility, and they feel it; they know it, they know that it is an appointment for life, and therefore they exercise the utmost discretion with that knowledge, that responsibility of theirs to elect to the position fit and proper persons.

2090. And above all they have regard to the magisterial functions the aldermen discharge?—Oh, they know that comes first, I think.

2091. That is the first thing?—I think so; they are electing a magistrate.

2092. Would you say that in the rare occasions when the Court of Aldermen have refused to sanction the election of a particular person as alderman?—Well, of course the Court of Aldermen—the aldermen have a power of veto, but very rarely have they exercised it. I cannot tell you exactly from memory alone, but I think twice in a century.

2093. On those occasions it might be presumed that in the opinion of the Court of Aldermen the electors did not regard the magisterial functions as they ought to have done?—Well, no doubt everything was centred in their worship of the individual, I take it, to the detriment of everything else.

2094. I return to my question; do you not admit that it is possible to maintain a succession of lay magistrates within the City quite apart from the particular machinery by which they are now provided?—No, I think there would be a difficulty in getting your men, in getting magistrates to do the amount of work. As it now exists the alderman—any person about to be elected to the position of an alderman knows that for the privilege and the honour of that position he will have to do good suit and service, and that he will have to devote valuable time to the discharge of magisterial duties. But then there is his reward—his reward in the dignity of the office and the knowledge that later on as time passes he will be elected to the proud position of chief magistrate. And that is one consolation, for a man serves the office of an alderman ripening for the chair upon an average 9 or 10 years. In my case, take it, I was elected an alderman in 1884. I served a year before my time in consequence of the retirement of my immediate senior, so therefore I did good suit and service I trust for a period of eight or nine years.

2095. (*Lord Farrer.*) Does the way in which he discharges his magisterial duties as an alderman have any effect upon his selection for the chair, for the Lord Mayoralty?—No, his general capacity. But, of course, regard would be had to his magisterial duties, but then the magisterial work in the City of London is invariably well done; it is one of the many things that we are exceedingly proud of.

2096. (*Chairman.*) Let me put this to you and apply it personally. Supposing that there was a Commission of Sewers in the City discharging the important work now entrusted to that Commission, with a chairman, and vice-chairman, and other persons?—As it exists.

2097. Well, yes, you may say as it exists?—As it exists.

2098. I would rather say independently of nomination by the Corporation, but that is quite immaterial? Just so.

2099. Discharging just as much work as it does now, and after a time prominent members of that Court were appointed by the Lord Chancellor to serve on the Petty Sessions of the City?—Yes.

2100. And each person so appointed in his turn became Chairman of the Petty Sessions to serve for a year—supposing you had gone through that experience, had been appointed in that way to sit in the Court of Petty Sessions in the City, and had become chairman for a year, would you have felt in the least degree your zeal to discharge your magisterial duties abated compared with what you have gone through?—No doubt; as things are now situated the discharge of one's magisterial duties would be much more willingly entered upon than under those conditions. There is your reward.

2101. You think the pomp and ceremony?—No; not the pomp.

2102. The elevation?—The dignity and the knowledge that you have; really, one must serve the office of Lord Mayor,—actually serve it, to know the immense power and amount of good a Lord Mayor can do during his year of office. I venture to say that even those the aldermen who are ripening for the chair have no knowledge of the power, and the influence for good that a Lord Mayor possesses until they actually serve.

2103. You speak of the moral influence attaching to the tradition and elevation of his office?—I do, and in the knowledge that charity is benefited to so large an extent.

2104. (*Lord Farrer.*) I must recur to my former question; does the conscientious way in which he performs his duty as a magistrate help to ripen him for the office of Lord Mayor, and in what way does it help him towards that eminence, considering the way in which the Lord Mayor is elected?—If such a

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case occurred that an alderman performed inadequately the duties of a magistrate, and that he showed little or no capacity for the work, I take it that the Livery, the electors, would in the course of time, within the period, say, of nine or ten years, discover a knowledge of the individual's shortcomings. That is always an imaginary case. I have never known of an instance. They would say that a man who cannot discharge properly magisterial work cannot properly discharge the duties of chief magistrate during his year, when he would be expected to preside almost daily at the Mansion House.

2105. (*Chairman.*) But you have known cases of one or two aldermen who have ripened so, as naturally to become Lord Mayor, who have been passed over when the time came?—Yes, but that was on account of either morality, or the knowledge that they were in such financial difficulties that were they returned, of course very serious consequences might follow.

2106. It did not arise from any failure of a magisterial character?—No, oh no.

2107. (*Mr. Crawford.*) I was only going to ask whether the conclusion arrived at which led to the exercise of that veto has been justified by subsequent events?—Oh, amply, amply, although well within my memory my immediate predecessor was vetoed; the alderman of my present ward. I remember at the time I think even "The Times" took it up in a leader. The action of the Court of Aldermen was considerably condemned; it was, I think, referred to at the time that it was interfering with the freedom of the Livery in their selection and in their election of the individual to that position.

2108. (*Chairman.*) That was a case of the exercise of the veto by the Court of Aldermen?—By the Court of Aldermen.

2109. Lord Farrer was rather pointing to the Liverymen passing over a man who was next in succession; has that ever happened?—Well, I do not know of a single instance in which, within my experience, an alderman has not properly discharged his magisterial work, so that it is an imaginary case. But I say that if we could produce such a case and it came to the minds of the Livery that he was not a capable magistrate I am confident that they would not return him as Lord Mayor.

2110. Has the Livery ever passed over a man?—No, I think not.

2111. Has a man ever resigned in order to prevent such an occurrence happening, on the very eve of an election?—Yes.

2112. Immediately before it came on?—Yes, almost immediately.

2113. In that case it may be said that the Liverymen did potentially set such a person aside?—Certainly.

2114. (*Lord Farrer.*) For what reason?—Financial reasons.

2115. (*Chairman.*) Well, then, besides these duties as chief magistrate at the Mansion House, the Lord Mayor has magisterial duties at the Central Criminal Court?—Yes.

2116. Is his action there more than ceremonial?—He is Chief Commissioner at the Central Criminal Court, and he opens the court.

2117. Immediately after that the work passes on?—Passes on to the judges.

2118. (*Mr. Crawford.*) Except taking the objections to grand jurymen?—Oh, yes, with that exception.

2119. (*Chairman.*) And he presides on all occasions over the Court of Aldermen and the Court of Common Council?—Yes.

2120. And he has numberless positions upon different boards in virtue of his office?—He has.

2121. Are all those active duties, or are they again purely decorative; for instance, he is trustee of St. Paul's Cathedral; what does he do in that capacity?—Well, the Lord Mayor for the time being is trustee; generally, you know, what is expected of a trustee for so important a trust.

2122. He is not a trustee of the British Museum?—No, he is not.

2123. There the trustee does a good deal of work in connexion with the British Museum?—Yes.

2124. What does he do in connexion with St. Paul's Cathedral; what did you do?—Not very much I am afraid, but nothing of any importance arose I take it.

2125. You had nothing to do with any alteration within or without that building?—No, nothing in my year occurred that really required any work whatever in that direction.

2126. What are the trusts?—Of a cathedral.

2127. Is not the cathedral vested in the Dean and Chapter?—And the Lord Mayor for the time being.

2128. Could two corporations possess it?—Two corporations could possess it by representation.

2129. (*Lord Farrer.*) Does he attend any of the meetings of the Dean and Chapter?—I do not know. As I have already said, nothing occurred during my year.

2130. (*Chairman.*) You were never summoned?—I was never summoned; nothing occurred.

2131. Probably you are a little vague as to what your duties would have been?—Under those conditions, yes.

2132. Well, you say you have a great deal to do practically with licensing business?—Yes.

2133. As Lord Mayor?—No.

2134. As a magistrate?—As a magistrate, not as Lord Mayor. A Lord Mayor very seldom attends the licensing meeting, he is too much engaged; it is left to the aldermen—to a certain number of the aldermen selected as the licensing committee.

2135. The licensing committee?—Yes.

2136. In the proof you have given me it runs this way: "Among other matters in which the Lord "Mayor, with his brother aldermen, takes a large "amount of interest is that relating to licensing?"—Yes.

2137. In truth, the Lord Mayor himself is too busy to take a special interest in that himself during his year of office?—Yes, he could not do it properly; that is to say, he might go one day and then not be able to attend the next.

2138. There is a licensing committee of the Court of Aldermen?—There is a licensing committee of the Court of Aldermen.

2139. Just as there would be a licensing committee to any other magisterial bench?—Yes, in the City.

2140. You claim that they are very active and careful in the discharge of their functions?—Oh, very; it is a great responsibility.

2141. That might be true of them even if they come into existence as I suggested in another way—the magisterial bench?—Of course there are regular licensing bodies outside the City as well as within.

2142. Have you any special instance to give of their zeal?—Yes. I remember very well the application for a licence for the Cathedral—originally it was the Cathedral Hotel in St. Paul's Churchyard, and the licence was continued subject to the old regulations, that it should be not merely a drinking bar but that it should be also a restaurant, and the proprietor did not conform to the views of the magistrates and the licence was withheld for a number of years—two or three years—and what we invariably set our faces against as much as possible is the drinking bar, and with the knowledge as commercial men of the constant tippling going on within the City, that is to say, very often there is scarcely a parcel sold or bought without "Well let us go and have a glass," and they go round to the nearest bar.

2143. That survives still, does it?—Oh, it does to a very great extent you know, but we regulate it. And as time goes on and licences fall in there will, even in the immediate future, be a more stringent provision and better regulation.

2144. (*Lord Farrer.*) What class of people—clerks?—Clerks. What we want is that where there is a licence there should be not only drink but food.

2145. (*Chairman.*) Real refreshment houses you wish for?—A refreshment house where they could go in and have their stand at the counter if they like, and take their modest luncheon of a little cold meat and a glass of beer, or bread and cheese and a glass of beer.

2146. (*Lord Farrer.*) That class of refreshment house is increasing very much indeed in the City, is it not?—Not increasing, but the mere drinking bars are developing into refreshment houses.

2147. (*Chairman.*) The stand-up luncheon place—that is, multiplying?—Oh, yes, immensely.

2148. (*Lord Farrer.*) And places where food is got with tea and chocolate?—Yes.

2149. (*Chairman.*) Chop houses seem to be disappearing, diminishing I think?—Yes, the old chop houses are diminishing.

2150. They used to exist in Finch Lane?—Yes, with the stone floor, the sanded floor; that is a thing of the past nearly.

2151. All this is a part of the general movement of opinion, is it not?—Yes.

2152. The same movement outside and inside the City?—Yes, I think we think differently to-day to what our fathers thought or even ourselves many years ago.

2153. This Cathedral Bar is at the east end of the City, is it not, of the Cathedral?—In St. Paul's Churchyard, the corner of Cheapside nearly.

2154. The east end?—The east end of St. Paul's, yes.

2155. According to the rude tradition, Queen Anne used to look upon the drinking shop at the west end?—Yes.

2156. That has long since disappeared; from your own experience, you can verify what we have been told otherwise, that the Lord Mayor has to expend considerable sums during his year?—The Lord Mayor is allowed 10,000*l.*

2157. (*Lord Farrer.*) 10,000*l.*?—10,000*l.*, and in my case I exceeded my allowance, I think wisely, by 12,000*l.*

2158. (*Chairman.*) And the Lord Mayor has necessarily gone through the office of sheriff?—Yes, I served the office of sheriff at a cost exceeding 4,000*l.*

2159. (*Lord Farrer.*) What are the sheriff's expenses?—4,000*l.*

2160. I mean, upon what is the money expended?—Charity; which of course, always charity comes in first.

2161. They are expected?—Oh, expected, not only expected, but they do it; they respond.

2162. Whenever, for instance, when there is a Mansion House subscription?—Yes.

2163. They would subscribe to it?—Yes, and they invariably support the Lord Mayor at any of the charity dinners; where the Lord Mayor takes the chair, there are the sheriffs to be found, always in support, of course putting their hands in their pockets. That is a very large item. And, then again, there are the expenses in connexion with the Central Criminal Court, which is rather a heavy item, and the Lord Mayor also contributes to that.

2164. (*Chairman.*) Do they dine the judges and the Bar?—No, that is a thing of the past.

2165. (*Lord Farrer.*) What is the expense of the Central Criminal Court?—Well, there is the daily luncheon, of course the sheriffs provide that.

2166. For the judges?—For the judges.

2167. And the Bar?—And for the leading members of the Bar. I mean to say the room set apart for that is—very properly so—safeguarded; that is to say, that only privileged persons are permitted to enter.

2168. (*Chairman.*) Do they not come by invitation?—Invitation of the sheriffs.

2169. Personal invitation?—Invitation of the sheriffs. Of course, if any leading statesman or public man from abroad, or from America, comes to view the proceedings at the Central Criminal Court, he would be specially invited in to luncheon with Her Majesty's judges; but it is very, very select, and then when the jury is locked up at night, when they are taken over to Cannon Street Hotel for several nights, it may be for a week, that expense falls on the sheriffs.

2170. (*Lord Farrer.*) Do the sheriffs have to pay that?—Yes, the sheriffs in City cases.

2171. (*Chairman.*) What is the arrangement between the Sheriff and the under-sheriff with respect to paying?—Now of course there are certain conditions. I served as Sheriff of London and Middlesex; now under the Act, as you are aware, it is no longer the Sheriff of London and Middlesex but the Sheriff of the City of London, and there were certain fees that my under-sheriff took in lieu of payment.

2172. And he indemnified you against damages?—And he indemnified me throughout, but I believe to-day that the present sheriffs pay their under-sheriffs, and I have heard the sum stated as being 500*l.*

2173. (*Mr. Crawford.*) The Corporation makes an allowance to the sheriffs at the present moment?—At the present moment.

2174. And that is taken by the under-sheriffs?—And that is taken by the under-sheriffs.

2175. And in addition they get something from the sheriffs?—And in addition they get something from the sheriffs.

2176. (*Lord Farrer.*) That allowance made to the sheriffs is paid over to the under-sheriffs?—Yes.

2177. (*Chairman.*) You omitted one item; I think that the sheriffs contribute their share to the Guildhall banquet?—Oh, yes, by-the-by, that is one's first experience of the sweets of office. My first cheque that I ever drew in that way was my contribution of one fourth; the Lord Mayor pays half the expenses connected with the proceeding of the 9th; the procession itself and the banquet, and the sheriffs each one fourth.

2178. What was your cheque, may I ask?—As Lord Mayor?

2179. No, for that quarter as sheriff; your first experience?—1,000*l.*

2180. One fourth?—Yes, but the day as a rule—the expense of the day I think—is 4,000*l.*

2181. So that out of the 4,000*l.* that the sheriff pays 1,000*l.* goes the first day?—Yes, that is so; some sheriffs spend more and some less.

2182. (*Lord Farrer.*) Have they to find that coach in which they drive; they have a coach, have they not, the sheriffs?—Oh, they purchase that coach.

2183. I suppose that goes on?—Well it is one of arrangement. Of course there is very little wear and tear to a coach during the 12 months, but they could not use the coach of their immediate predecessor; there would not be the time to renovate it and that, so they go back two years in all probability and bring out the coach of two years ago.

2184. (*Chairman.*) There are three in running?—Three? more; there must be four running.

2185. You say as Lord Mayor you also did some duties outside the city?—I did.

2186. Those were purely voluntary, I suppose?—Purely.

2187. Will you explain what they were?—Well, I went, for instance, to Islington, to the parish of St. Mary, Islington, to open baths and washhouses, and I was curious enough to ascertain the population of that one parish, and I believe the population exceeded 300,000—319,000 I think: in excess of the population of Sheffield, for instance, and within measureable distance of the population, say, of Dublin.

2188. (*Lord Farrer.*) That one parish?—St. Mary, Islington, one parish. And I was particularly struck, and I spoke to the commissioners, or rather they spoke to me I remember at the time, after I had inquired as to the population, and they remarked "You see we have not a mayor and aldermen," and conveying and stating how much they would like it if such a thing could only be arrived at.

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2189. Mayor of Islington?—Mayor of Islington. Well then I went down to Camberwell almost immediately, the following week, and again opened baths and washhouses. There I found that the population was a quarter of a million, and I think, in the course of my speech, the idea having emanated at Islington, I touched, during the course of my few remarks, upon the desirability that it would be for a district if they could, where the population approached anything like a quarter of a million, get a charter and have a mayor and council.

2190. (*Lord Farrer.*) What was the date of this; before the Local Government Act?—The date of this was in 1891.

2191. Since the Local Government Act of 1888?—Yes, in 1891.

2192. (*Chairman.*) You had a great many meetings, as all Lord Mayors have?—Yes.

2193. In support of many institutions?—Yes, I got tired of the sound of my own voice.

2194. (*Lord Farrer.*) In what way have you to decide. Is it within your own discretion in what cases you will hold a meeting?—Yes; but you have to decline so many.

2195. Of course?—Inasmuch as you have not the time at your disposal.

2196. Does the Lord Mayor decide that generally on his own discretion?—He does.

2197. Or does he take any of his colleagues into consultation about it?—No, I think it is left to the individual; he enters upon the office with great experience. Whoever serves the office of Lord Mayor is no novice.

2198. (*Chairman.*) He has been on the watch for for some little time?—He has been on the watch.

2199. Educating himself?—Educating himself over a long period of time.

2200. He also has the advantage of one or two officers who seem to be renewed continually so as to bring a certain continuity of experience?—Yes.

2201. Private secretaries and men of that kind?—Yes, there is the private secretary to the Lord Mayor; he has been private secretary to 19 Lord Mayors, I think.

2202. (*Lord Farrer.*) He will be able to say, "This is a thing you ought not to attend"?—His advice in a case of that kind is very valuable.

2203. And that is the case with charities, I suppose, as well as with meetings; does he exercise his own discretion?—Oh, he does chiefly.

2204. Entirely?—Entirely.

2205. As to what shall be a Mansion House subscription, and what shall not?—Yes. During my year I had three very important funds. There was the Mauritius, the Newfoundland, and then a colliery accident in Wales. I think I collected altogether over 40,000*l.* The present Lord Mayor certainly has exceeded that by receiving now for the Victoria disaster a sum as you are aware approaching 60,000*l.*—60,000*l.* or 70,000*l.*

2206. To what extent do you consider yourself responsible for the proper management, custody, and distribution of those large sums; it is a heavy responsibility?—It is a heavy responsibility. You call in, as a rule—for instance, take the Mauritius; I called to my assistance, and formed a committee of the leading merchants of the City of London who possessed a knowledge of Mauritius and had business dealings with Mauritius, and therefore their experience in that direction, of course, was of immense value to me. I did not take the sole responsibility myself, but I formed a committee, and left it to the committee to decide as to what should be done.

2207. And to the committee to appoint a treasurer?—A treasurer.

2208. And officers to take the custody of the money?—Yes.

2209. So the Lord Mayor's duty is in the first place to select the charity, and in the second place to hold a meeting?—Presiding and directing.

2210. And giving the prestige of his office to it?—Of his office to it.

2211. And he leaves the practical management to persons who are practically acquainted with the concern?—Yes, but he shares it with them; he does not simply form the committee, and leave the committee, and allow the committee to carry out the work; he calls the committee together and presides at each meeting.

2212. He presides at each meeting?—At each meeting.

2213. Does he feel himself bound to do that in every case, and during the whole duration of the committee?—Oh, he does.

2214. (*Mr. Smith.*) I should like to ask Sir David Evans a few questions. Are you acquainted with the municipal work in our large cities in England outside the City of London?—No, I cannot say that I am; I have never resided outside the City of London. I have a knowledge of course of the general municipal work.

2215. I think you must know that they take rather a different view of municipal work to what is taken in the City of London, do they not?—I am not aware that they do.

2216. I have noted that you classed the principal duties of the Lord Mayor primarily as his position as chief magistrate; you laid great stress upon that?—I did.

2217. And you said that the administration of justice was his first thought?—Yes.

2218. That is hardly what would be considered the first duty of a mayor of Liverpool or Manchester or Birmingham, is it?—I do not know, I cannot say. The mayor of Liverpool, or of Birmingham, or any other town, I take it, does not possess the same magisterial position, does not occupy the same magisterial position that an alderman or Lord Mayor of the City of London does.

2219. Do you not know that the mayor is for his year of office a magistrate?—Oh, yes.

2220. And he is chairman of the bench of magistrates?—Yes, he never sits alone.

2221. I suppose from the fact that you are all commercial men in the City very few of your aldermen have any legal training?—Very few. There are, of course, professional men from time to time returned as aldermen. I do not think we possess a professional member of the Court of Aldermen at the present time, but the late Alderman Stone was a professional man and he was a lawyer, and Alderman Sir Walter Wilkin is a barrister. I had forgotten that.

2222. (*Chairman.*) Alderman Wire?—Lord Mayor Wire many years ago.

2223. (*Mr. Smith.*) But in the large provincial cities they must have commercial cases as well as in the City of London?—Yes.

2224. And you know those cases are almost invariably dealt with by the stipendiary magistrate?—I do; but as a merchant I should prefer having a commercial case to go before a magistrate. I should prefer to take it to a court presided over by a layman, a commercial man, than I should before an ordinary stipendiary.

2225. You think it would be an advantage to extend that system over England?—I do.

2226. Your idea of the first duty of a Lord Mayor is to be a criminal judge of first instance?—He is referred to, his very style as chief magistrate, and knowing that the citizens desire that he, as Lord Mayor, should preside in that court, he naturally regards the position as magistrate with great concern, and therefore to meet the public want, the public requirement and desire, he sits as often as possible.

2227. It takes up an immense amount of his time?—It does. I sat upon an average, I dare say, five days a week.

2228. It would be impossible, therefore, for the Lord Mayor of London to take the same position as a mayor of a provincial city in attending the committees of the council daily?—He would not be able to attend the committees daily; but then, I take it, that what applies

in the ordinary way to a busy man, that a busy man finds time for most things, would apply to him. Inasmuch as the Lord Mayor is an extremely busy man, it is astonishing how he does manage to find time for the proper discharge of his duties.

2229. You think, for instance, that the Lord Mayor could preside at the Mansion House and attend a gas committee, and a water committee, and an improvement committee, and a markets committee, and so on through the week?—But there is no necessity for the Lord Mayor to attend all these committee meetings. The Lord Mayor is *ex officio* a member of various committees, but the committees appoint their own chairman.*

2230. (*Lord Farrer.*) Do the committees appoint their own chairman?—They appoint their own chairman.

2231. (*Mr. Smith.*) It is the practice in provincial towns for the mayor to be present during the sittings of the committees?—Well, he is a less busy individual than the Lord Mayor of London, I take it. It would be quite impossible for the Lord Mayor of London to be present, and in my opinion it is better—it is just as well that he should not take the chair at all these meetings.

2232. No, not necessarily take the chair, but to be present?—It is not required; it is not necessary that he should. Of course, when any question of importance arises the Lord Mayor is summoned, and he attends.

2233. Is it not important that the chief magistrate of the town should be in touch with the municipal work all round?—I take it that the Lord Mayor is in touch every day of his life with everything that goes on within the Corporation.

2234. Surely he does not get so much information by sitting as a criminal judge as he would by attending the committees?—You must not imagine that the Lord Mayor as chief magistrate is sitting the whole of the day.

2235. Could you tell me how many hours he sits as a rule?—The Lord Mayor may sit an hour and a half, two hours, or three hours, perhaps. I omitted to say that when the chief clerk knows that there is a case that will occupy a very long sitting or that it will go over for adjournment into the following day or two or three following days, then the Lord Mayor is advised not to take that case inasmuch as it it would involve too much time, and such a case would be heard by an alderman who was past the chair. In that way there is a division of the magisterial labour.

2236. You know, of course, that in provincial towns there is a large number of magistrates, many of whom are members of the council?—Yes.

2237. But still there are many cases taken by the stipendiary?—Yes, so I understand.

2238. But you would not adhere probably on reflection to the statement that it is due to the dearth of men of commercial experience in those towns that they prefer legal business to be done by legal men, would you?—I do not know; I am inclined towards that belief, yes.

2239. You think that there are not men of sufficient commercial experience in Liverpool—I will not mention any other town?—Well, Liverpool is a second London; I should imagine that in Liverpool you would be able to furnish, no doubt, a sufficient number.

2240. Manchester?—Well, take your principal—I should exempt your principal towns.

2241. Birmingham?—Yes, Birmingham, certainly.

2242. Then there is a good deal of qualification of the statement?—Yes, so there is; I was more particularly thinking of the smaller municipal boroughs.

2243. When you were speaking of inside duties, when you went to Islington with 300,000 population, and Camberwell with 250,000, I presume that you went in state?—Yes.

2244. And they expressed a wish to have a mayor?—Yes. *Sir D. Evans, K.C.M.G.* 3 Nov. 1893.

2245. Do you think that they wanted a mayor to do their justicing?—I do not think they gave that a thought for the moment. They did not express themselves in that direction.

2246. Would you not gather from what they said, that they wanted a mayor to take the place of the chairman, we will say, of a vestry or district council, and to discharge municipal duties?—Yes, they wanted a corporation.

2247. And to discharge municipal work as distinguished from judicial work?—A combination of both, I take it.

2248. I think we look at it from different standpoints. In the provinces we look upon the judicial work as the work of the magistrates, and we look upon the municipal work as the work of the town council?—Yes.

2249. (*Lord Farrer.*) Arising out of that may I just ask one question. I think I rather gathered that the Lord Mayor is unable to take the longest and possibly the most important cases because they take up too much time?—Not necessarily the most important.

2250. But the longest?—The longest. There are some very tedious cases with a mass of evidence with almost a foregone conclusion that it must go for trial. Well, then no doubt the Lord Mayor is very wisely advised by the chief clerk that that could be just as well carried out and heard by a colleague.

2251. I think you have a very excellent chief clerk, have you not?—Excellent.

2252. A man whose name is well known everywhere?—Everywhere, yes.

2253. Of course he renders very efficient assistance to the aldermen and the Lord Mayor?—He does, undoubtedly.

2254. Is it not the case both in the provinces and in London outside the City that with the growth of civilisation there has been specialisation of functions, and that the judicial functions have been more and more separated from the administrative?—I suppose that that is the experience outside the City of London.

2255. Then the City of London stands alone in having kept the two together?—Yes.

2256. And you think that the City of London is right and the whole of the rest of England is wrong?—I think that the City of London, having regard to its position, is right, and that it would make a very great mistake if it altered its system.

2257. (*Mr. Crawford.*) Are you aware that the Royal Commissioners of 1854 suggested the appointment of a stipendiary?—Yes.

2258. And you know that subsequently the Government of that day introduced a Bill in 1857 in which they omitted following that recommendation?—Yes.

2259. Can you tell us from recollection the reason which was assigned by the responsible Minister of the day for that omission?—I think I have a recollection that it was due in deference to the indignation exhibited by the citizens of London in their desire that their magistrates—their aldermen—should be elected for life.

2060. May I refresh your memory by reading from the speech of Sir George Grey when he introduced the Bill. "The aldermen of London, I may state, "occupy a different position from that of aldermen in "other boroughs. Among other points of difference, "there is this important one: that they exercise "magisterial duties. The Commissioners recommend "that, instead of making the tenure of office the same "as that of aldermen in other municipal boroughs, "they should hold their office for six years; and they "further recommend that the aldermen should con-"tinue to act as magistrates and be eligible for "re-election at the expiration of the six years of "office. By the provisions of the former Bill, it was "proposed that power should be given to the Cor-"poration to apply for the appointment of Stipen-"diary Magistrates; this was a power similar to that

* *But see also* Mouckton, 2446; Kemp, 4611–20.

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"which existed and was exercised in reference to the "magistracy of other municipal boroughs. The "difficulty, however, which has pressed upon me and "to which I referred on a previous occasion arose out "of the consideration that it was opposed to the "principle hitherto invariably and universally recog-"nised, to have a class of persons exercising magis-"terial functions who would be subjected to continual "election and re-election. That is a principle which "in the administration of the law has never been "recognised in this country. There is no such "instance of the election of a magistrate, except in "the case of the mayor of a municipal borough. He, "it is true, is during his year of office a magistrate, "and in the year also succeeding to that of his "mayoralty, but he then ceases to be a magistrate, "and the cases were not very frequent in which the "same person was re-elected to the office. I propose "therefore that no alteration should be made by the "present Bill in the existing tenure of the office by "the aldermen of London. I propose that they "shall still continue to be elected for life, and retain "their magisterial positions and perform its duties"? —Yes, and therefore there is possessed by the aldermen of London a feeling of thorough indepen-dence.

2261. From that time to the present there has been no successful attempt made to interfere with the position which the City occupies?—None.

2262. You were asked just now with regard to the patronage of the Court of Aldermen whether there had been any complaint made?—Yes.

2263. As a matter of fact is not the patronage of the Court of Aldermen exceedingly small?—Yes, it is.

2264. Does not the principal patronage rest with the Court of Common Council?—Yes, chiefly.

2265. And that court, of course, is composed of the direct representatives of the ratepayers?—Yes, returned, elected, annually.

2266. I do not think any question was put to you with regard to your strictly municipal work as Lord Mayor. As a matter of fact, is it not part of your duty, and did you not when Lord Mayor attend every meeting of the Court of Aldermen?—Every meeting of the Court of Aldermen.

2267. And also every meeting of the Court of Common Council?—Every meeting of the Court of Common Council.

2268. And is it not the duty of every committee of both of those bodies to report to their respective courts?—It is.

2269. And in that way do you not personally be-come acquainted with all the business which is trans-acted by either committees of the Court of Aldermen or of the Court of Common Council?—The Lord Mayor is in touch with, has the knowledge of, the whole of the inner workings of the committees through the reports which come before the Court of Common Council.

2270. Does not the holding of meetings of those bodies exclusively rest with the Lord Mayor?—Exclusively.

2271. And does not the paper of business to be transacted at both of those courts exclusively rest with the Lord Mayor?—Yes, he can either expunge or retain whatever is placed before him.*

2272. (*Chairman.*) Is there not some work which must be taken?—Yes, it is left to the discretion of the Lord Mayor as to whether it should be taken on a particular day or postponed, for instance; that is left to his discretion.

2273. Within certain limits?—Within certain limits.

2274. He could not of his own power refuse to receive a report of a committee indefinitely?—Oh, no; such an instance has never occurred

2275. (*Mr. Crawford.*) As matter of fact, is not the paper of business submitted to you before it is issued, and you see the Town Clerk to make yourself acquainted with the matters to be brought forward?—Such was always the case.

2276. And in that way do you not become inti-mately acquainted with the work of the Corporation?—Perfectly.

2277. Is it not the custom, from time to time, for chairmen of committees to consult the Lord Mayor upon particular matters which are in course of pro-cedure before committees?—That might almost be referred to as of daily occurrence.

2278. And in case of necessity do not the chairmen of the several committees in a body meet and confer with the Lord Mayor?—Such conferences took place upon many occasions during my year.

2279. (*Lord Farrer.*) Does that include the Com-missioners of Sewers?—Yes, the chairman of the Com-missioners of Sewers too.

2280. Then, looking to that statement that you are now making in answer to Mr. Crawford's question, do you still think that the judicial duties of the Lord Mayor are more important than the administrative duties?—I still attach the utmost importance to the judicial duties of the Lord Mayor, and I have always advocated that a Lord Mayor, in deference to the publicly expressed wish and desire that the Lord Mayor should preside at his own court, should do so; I think that the Lord Mayor is wise in endeavouring to do that as often as possible.

2281. (*Mr. Crawford.*) You were asked just now, whether assuming that an alderman was neglectful of his duty there would not be a difficulty in getting rid of him. As a matter of fact, would he not practically be shut out of the office of Lord Mayor by not being elected as a sheriff if he neglected his duty?—Yes, certainly.

2282. And can you recall any instances in which, when there has been a neglect of duty, pressure has been brought to bear upon a particular alderman by his colleagues that has caused him to resign his gown?—Owing to what?

2283. Owing to the inability of a particular alder-man to perform satisfactorily the duties of his office, pressure has been brought to bear upon him by his colleagues, and he has, in consequence, resigned his gown?—Yes.

2284. Only one question with regard to St. Paul's; as a matter of fact, is not the fabric of St. Paul's vested in the Lord Mayor for the time being, the Archbishop of Canterbury, and the Bishop of London?—We are the three trustees.

2285. Of the fabric?—Of the fabric.

2286. Of the fabric of St. Paul's, and, as a matter of fact, in connexion with the building and re-building of St. Paul's, has it not been the invariable practice for the Lord Mayor for the time being to be made acquainted with it?—Such would be the case, of course; I have no recollection of it, but such must be the case, the Lord Mayor being one of the three trustees.

2287. Is not the Lord Mayor for the time being, one of the auditors of the accounts in connexion with St. Paul's?—Yes

2288. And you meet the Archbishop of Canterbury and the Bishop of London at Lambeth Palace for the purposes of audit?—Yes.

* *But see also* Monckton, 2443.

The witness withdrew.

Sir J. Monckton.

Sir JOHN MONCKTON, Town Clerk of the City of London, called in and examined.

2289. May I say, Mr. Chairman, that I am specially desired by the committee I represent, in putting in the statement—which I formally do to-day, although I sent it last week—to say with reference to the state-ments in a small portion—I do not know whether inspired or otherwise—of the press, that the Cor-poration has wilfully delayed preparing its statements —those were the exact words used—for purposes that

were set down, that such is not only not the case, but the Corporation desired its officers throughout the summer and autumn to use all possible expedition in the matter, which has been carried out without any reference to the occasion. I can only hope that the size of the volume gives colour to what I state.

2289*a*. (*Chairman.*) It is big enough?—Yes. Well, you see, to boil down seven centuries was a little different task to giving the history of equally respectable and well-standing bodies that have lasted about three years. I was desired to say that, and I have said it.

2290. You are the Town Clerk, Sir John Monckton?—Of the City of London, yes.

2291. And you put in this book?—I put in this book and the statement of the Corporation (*book put in*).

2292. This book has been prepared by the Special Committee?—By the Special Committee.

2293. To which this matter has been referred?—To which this matter has been referred.

2294. It is prefaced by a protest, I see?—It is.

2295. We do not desire to examine you generally upon that with which we have perhaps little concern, but the chief point is perhaps this: we should like to understand that you understood you were asked to co-operate in an inquiry as to the possibility of an amalgamation with the city and the county, whereas the inquiry has been transformed into one as to how it should be done?—That is the point upon which the Special Committee desired to lay especial stress, because in communications received which are here set out there was a form of expression which had considerable weight with the Corporation in its interpretation of that communication.

2296. Their attitude of mind toward an invitation to consider whether it could be done would be different from their attitude to an invitation to consider how it should be done?—Precisely.

2297. But in consenting to consider whether it should be done it is probably assumed that if it could be done it would be desirable?—I do not think I can admit that, if I quite follow your question.

2298. In consenting to co-operate in the inquiry as to whether a thing should be done, what would be the motive for co-operation unless the thing itself were desirable if it could be done?—Oh, the motive to my mind would distinctly be that the Corporation in such case would devote itself to arguments against the thing being done. There is a very strong feeling—in fact, the strongest feeling—that it is a thing that should not be done.

2299. Why did they consent to an inquiry as to whether it should be done?—Well, I think I must put that upon the old expression *mens conscia recti* they were not unwilling to be parties, probably it might be said they had not very much voice in the matter, when a Government invites the Corporation to do it, but they were not at all unwilling to embark in a matter of inquiry of that sort which they feel, and feel very confidently, could only result, if it were an inquiry limited to that, in leaving matters pretty much where they are.

2300. There were two motives if I understand, first, the deference naturally paid to a Government request?—Certainly.

2301. And secondly the conviction that the result of an inquiry as to whether a thing could be done would be a conclusion that it ought not to be admitted?—Should be done rather, I should say, than could be done I think that the feeling of the Corporation was that they would so show, as they believe they have shown in this statement, that it is a thing that should not be done, and that the creation of a monster municipality is a thing to be utterly avoided and the annihilation of the City equally to be avoided.

2302. Now the Corporation is of extreme antiquity?—It is so.

2303. Beyond legal memory?—Beyond legal memory, I should prefer to say.

2304. And the speciality of the City of London is that it is a county of itself?—It is so.

2305. And that it has been organised from earliest times with the independence of a county?—Yes.

2306. There are numerous charters to which you refer which have been granted by successive monarchs?—Yes.

2307. Defining, recognising, sometimes enlarging, the powers of the Corporation?—Yes.

2308. Do you claim that the Corporation has got a power of reforming itself?—To a considerable extent.

2309. Like Parliament, it can reform its own constitution?—Its own numbers for instance and its own powers.

2310–11. Under what power do you claim that?—(*Mr. Crawford.*) It is under a charter of the 15th Edward III.

2312. (*Chairman.*) This book states this: "The "Corporation has in this respect a more extensive "privilege than any other corporation, one which was "confirmed by charter of 3rd June, 15th Edward III., "enabling the Mayor and Aldermen, with the consent "of the Commonalty, 'where any customs theretofore "'used and obtained proved hard or defective or any "'matters newly arising within the City needed "'amendment, and no remedy had been previously "'provided, to apply and ordain a convenient remedy, "'as often as it should seem expedient, so that the "'same were agreeable to good faith and reason, for "'the common advantage of the citizens and other "'liege subjects sojourning with them, and useful to "'king and people.'" I understand the Corporation claims under that charter that they can reconstitute themselves?—Yes, by acts of Common Council, and they have done so.

2313. Do you attach any significance to the proviso: "So that the same were agreeable to good faith and "reason, for the common advantage of the citizens "and other liege subjects sojourning with them, and "useful to king and people?"—I should think that "that was the phraseology of the time. I do not attach a more important meaning to the words than would be applied to any words of a similar character, whether in an Act of Parliament or otherwise.

2314. Well, but they might receive considerable interpretation in another Act of Parliament. Has any judicial interpretation been put upon them?—Not to my knowledge.

2315. Do they not imply a limitation of the powers of the Corporation to make new laws respecting its own constitution?—I do not know that they do. It is possible that if something wantonly unreasonable were done it would be a very good handle for Parliament to take hold of.

2316. But apart from Parliament you think there would be no other authority?—I should think not.

2317. Supposing a municipal corporation had power to pass byelaws, subject to the condition that they did not interfere with the common rights of the subjects of the realm, the question of the validity of a byelaw might arise in a court of law?—It might do, certainly, under those circumstances.

2318. Well, might not the question of the validity of an act of the Corporation, performed in virtue of this charter, arise in a court of law?—That must be a matter of opinion, I think.

2319. It never to your knowledge has been tried?—Never to my knowledge.

2320. (*Lord Farrer.*) Have there been no decisions—legal decisions—on that point?—I am not aware so.

2321. (*Mr. Crawford.*) As to the power to make Acts of Common Council there have been decisions?—I beg your pardon, I understood you to mean taking legal steps to void them.

2322. (*Chairman.*) No act of the Common Council has been taken to a court of common law to settle whether it is "agreeable to good faith and reason "for the common advantage of the citizens and "other liege subjects sojourning with them, and "useful to king and people?"—Not to my knowledge.

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2323. The Corporation claim this power, they have recently exercised this power?—Making acts of Common Council.

2324. Yes?—Oh, yes; they are constantly, indeed.

2325. Without limitation?—Well, that is a difficult question to answer; the act of Common Council, as made, is limited by the contents of the act.

2326. Yes, but do they claim the power and exercise it without limitation?—They do so.

2327. I will put it this way: have recent organic changes in the constitution of the City of London been done by the action of the City itself, or by, or at least with, the sanction of Parliament?—As regards Acts of Common Council, by the action of the City itself.

2328. A very important change has been made since the Commission of 1854, in the election of aldermen? The constituents electing aldermen have been changed?—Yes.

2329. How was that change effected?—Do you mean as to the size of the wards or what?

2330. No; I mean the electors themselves are a different body now to what they were?—Yes; I must refer to find how that occurred; the 30th Victoria first settled it. "The inhabitants on the electoral roll "of every ward (except that of Bridge Without) "have the right to elect a freeman to be their alder- "man, who must then be approved and admitted by "the Court of Aldermen before he can take his seat "as such. The Lord Mayor upon a vacancy occur- "ring issues his precept, summoning the wardmote "for the election of an alderman." All these matters for the election of aldermen are regulated by statute.

2331. That is the point I wish to put to you; why do you wish to have a statute for that purpose if it could have been done by act of Common Council?—I think that at all times the electoral power has been by statute.

2332. But these words which I have quoted of the charter of Edward III. do not contain any limitation of that kind; I understood you to claim for the City of London to do what it liked?—No; they were your words more than mine.

2333. You assented?—I assented to your question because there was no limitation expressed there. Of course, Parliament is paramount in all matters.

2334. Parliament might possibly take away your charter, or might revise it?—Undoubtedly.

2335. But if you have got the power, as I understood you to claim that you have, under the charter to do this thing, why has Parliament been called in to perfect it?—It has always been done by Parliament.

2336. Then your answer would be, although this power appears to exist, it has not been exercised in these important matters?—It has not been exercised by Act of Common Council, so far as the electoral power of the City is concerned.

2337. That is a branch of the reconstitution of itself; only a part of the reconstitution; you might have a more radical reconstitution?—By constitution I understand you to mean the numbers that constitute, and the areas they represent.

2338. And the electors who are entitled?—Yes; those have been fixed by Parliament.

2339. The constitution of the Common Council is the co-existence of the Mayor, Aldermen, and Court of Common Council, coming into existence under different conditions?—Yes.

2340. And I understood the claim of the City was, that the body which has so come into existence, the Mayor, Aldermen, and Court of Common Council; could by their own power, subject to the proviso, whatever it may mean, as to "good faith and "advantage of the citizens," change the way in which they came into existence, alter their own constitution as Parliament can?—Parliament has done that.

2341. No, the Corporation can do it for itself?—Yes.

2342. So the City could do it for itself, that was your claim?—No, I think not, not to that extent. I did not understand your question to apply to that, but to apply to that which has taken place.

2343. Well, how would you define the limits of your action?—What I said just now defines the limits. I mean to say that it has been the custom for the Corporation to alter its numbers, to alter the areas of their representation. That is as regards that part; of course acts of Common Council affect all sorts of other matters.

2344. But with respect to the constitution of the Common Court, it goes no further than that?—It goes no further than that.

2345. (*Lord Farrer.*) Would it have power to convert the office of alderman from a life office into an annual office?—I should say yes.

2346. (*Chairman.*) It would not be necessary to go to Parliament to make that change?—I should think it would not; but of course that is a matter of consideration, a Court of Common Council question. I should have to ask for time to look into authorities, and so on.

2347. There have been several alterations made besides this as to the electors of the Court of Aldermen. Have they been all made by the authority of Parliament, or have any of them been done by the authority of the City itself?—I should think they have been done by the authority of Parliament.

2348. (*Lord Farrer.*) Can you give us a list of any of the alterations in the constitution that have been made by the City itself?—I could by reference and preparing the list; I do not profess to carry it in my head.

2349. (*Chairman.*) You put it at the commencement of this book; you quoted that power under the charter of Edward III., conveying to me the impression that, in the opinion of the City, practically all the recommendations of the Royal Commission of 1854 could have been done by the City itself?—That is not my impression at all. My impression is that a good deal that is recommended by the Royal Commission, when I looked at it, was a matter for Parliament to take the initiative in.

2350. As a matter of policy, but as a matter of power surely the recital here leads to the conclusion that the City itself could have done it?—In some cases no doubt.

2351. At that date they had doubts whether they could effectually do it unless ratified by Parliament?—No doubt that would be so.

2352. And there is no recent case of a large change being done by the Common Council except under the authority of Parliament?—No very recent case.

2353. How far back is the most recent?—You are speaking now, I suppose, of altering the wards, or of what?

2354. Recent considerable changes in the constitution of the City?—Yes, it was early in this century, I think; without referring to the date, early in this century you may take it.

2355. Can you give us any reference?—No, I cannot for the moment.

2356. (*Mr. Crawford.*) You will find the shrievalty was dealt with in 1878 by an Act of Common Council?—Oh, there have been many matters dealt with by the Common Council, but I understand the Chairman to want the precise date of the change of the numbers of the wards.

2357. (*Chairman.*) The important point is to ascertain what you consider to be the living limitations of the power conferred by that charter?—By the charter conferring power to pass acts of Common Council?

2358. Yes?—Well there are so many of them, but I take it the Royal Commission desire to get facts, not opinions, from me, and the best answer would be to produce the acts of Common Council referring to all sorts of things. There was one not very long ago abolishing the oaths of the Lord Mayor and other officers. That is one of an altogether different kind, but as I said, there have been acts of Common Council varying the number of representatives of the

various wards, and I can produce the acts before this Commission. That was in 1866. Now here are several alterations on page 2, an "act of Common "Council passed on the 18th of December 1856, "abolishing all laws and customs which prohibited "persons, other than freemen, from carrying on "business by retail within the City; also in an act of "the same date abolishing street tolls in the City; "also in an act of the 10th December 1857; chang- "the day, and altering the mode then in use for "returning the names of persons elected to be com- "mon councillors; also an act of the 10th February "1859, to amend the oath taken by the Town Clerk "of the City of London, and to separate that office "from the office of the Registrar of the Mayor's "Court." And so it goes on; they are very various indeed.

2359. And those were done by the authority of an "act of Common Council?—By an act of Common Council.

2360. Without any ratification?—Without any ratification; as lately as 1889 there was a somewhat important act altering the form of indenture of apprenticeship; that was found to be inconvenient—the seven years' apprenticeship—that was altered by the variation of the periods of the indenture to five years.

2361. No one of those touches the gravity of an alteration of the constitution of the City itself?—No, not as regards the electoral body, which I take to be what you mean.

2362. (*Mr. Smith.*) These internal matters are rather analogous, are they not, to the general power which municipalities have to make byelaws for the good government of the borough itself?—They are very far beyond that I think.

2363. It is obvious in an ordinary borough that such a change might be made as the separation of offices, and things of that sort. Any borough might separate offices of that sort without absolute statute?—No doubt, not by byelaw, but by resolution probably.

2364. (*Chairman.*) Soon after the charter was granted, in the next reign, it was assumed that under it the Court of Common Council could alter the conditions of tenure of the aldermanic gown?—Yes.

2365. Would it be held that they had that power now?—I should think if they had it then they would have it now; I mean nothing has occurred to alter it.

2366. It was confirmed by the statute, but it had been already exercised?—Yes.

2367. That would not throw any doubt upon its validity?—I do not think it need.

2368. If it has not been exercised, or anything like it been exercised, since the reign of Richard II., you would still hold it was subsisting and valid?—I should be inclined to do so.

2369. (*Lord Farrer.*) Would the fact that it was declared valid by statute prevent the Corporation from altering it afterwards?—I do not quite follow that, Lord Farrer.

2370. In this paper—I am only taking it from your own paper—"and similar ordinances have changed the "nature of the office of alderman, by first making the "office annual (as declared by charter of Edward II., "and afterwards constituting the office one for life), "as declared by statute, 17 Richard II. cap. 11?"—Yes.

2371. Would not the fact that Parliament had confirmed that, or declared it, prevent the Corporation from exercising the same power again?—No, I think not.

2372. (*Chairman.*) That would depend upon the language of the statute?—Naturally it would.

2373. (*Mr. Crawford.*) I might give you an instance in connexion with the Fellowship Porters, who are regulated by Act of Common Council, Parliament had introduced the Metage on Grain Act clause affecting the fellowship, and the objection was raised in some litigation very recently that Parliament having once interfered the Court of Common Council had no power to control by Act of Common Council, and the judgment then given by the Divisional Court was, that the ancient power of the Common Council to control the fellowship by Act of Common Council remained, and had all the force of an Act of Parliament. That was a recent judgment given in connexion with the Fellowship Porters.

2374. (*Chairman.*) Let us proceed to the question of the Lord Mayor. I do not want to go into the general history of the Lord Mayor; at present the Lord Mayor is elected how?—The Lord Mayor is elected by two main processes; you have already heard, and I daresay you do not want me to repeat it, that he must be an alderman and must have served the office of sheriff, that the custom requires.

2375. What is the original of those customs?—Oh, they are too old for one to attempt to trace out. I noticed in Mr. Rotton's evidence that he said he believed it was quite a non-legal requirement that the Lord Mayor should have been sheriff, but as there is no traceable law in the matter, and the custom is of the greatest antiquity, I take that to be the reason.

2376. At present when the livery have assembled in common hall for the election of a Lord Mayor is not a list read out of those who are eligible?—A list is read out by the common serjeant of the aldermen who have not passed the chair and who have served the office of sheriff. That is taken to be the list from which the Lord Mayor should be chosen, it being always understood of course that if the livery so please they may pass by one of the names or both of them and select one from the gentlemen who have passed the chair. These gentlemen or any of them are available to serve.

2377. Although not read out by the common serjeant?—Although not read out by the common serjeant they are taken as read, having fulfilled all the requirements.

2378. And the necessity of these limitations has never been contested, I mean the legal necessity?—No, I think not; you mean as regards the sheriff.

2379. The liverymen have never asserted on their side that they could choose a man who had not been a sheriff?—Never, certainly not; never in any experience I have had.

2380. There is no trace of any attempt to elect a Lord Mayor from outside?—I should imagine not; I think I should have come across it in some place if it had been.

2381. Can you tell us the earliest recorded recognition of those two conditions, being alderman and having served the office or sheriff?—I can only do that by assumption; I assume, because I know not to the contrary, that the first alderman who became Lord Mayor had fulfilled that condition. It is a matter of record, no doubt. We have all the Lord Mayors recorded, and all the sheriffs recorded; I should think it would have been without any exception.

2382. The charters do not lay down any such condition, I think?—I do not know that they do; I do not think that they do; I do not find it at all; the City guilds have occasionally claimed a more authoritative and originating voice in the election of a Lord Mayor.

2383. You do not know all the history of the controversy that arose so far back as 1366?—No, we find that in the various books.

2384. At present, at all events, you assume as a matter of legal necessity, that to be elected as Lord Mayor, a man must be an alderman and must have been a sheriff?—And must have served the office of sheriff, yes.

2385. The liverymen being called together elect two out of the persons so qualified?—Yes.

2386. The limitation of aldermen is one of great antiquity?—Yes.

2387. The liverymen used to be the electors of aldermen; aldermen within the several wards were they not?—The companies, yes, the City Guilds.

2388. The aldermen for the wards used to be elected by the liverymen within the ward?—Yes, the

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liverymen. When you come to inquire into it you will find that the origin of aldermen is beyond this, that you will come to as you get on with the statement.

2389. But comparatively recently that was the constituency of an alderman?—Well, not comparatively recently; within some time.

2390. Has any claim ever been made on the part of residents who are not liverymen to be electors of the Lord Mayor?—No, not to my knowledge.

2391. What is the test used on the occasion of a common hall?—That none but liverymen shall be present.

2392. How is it applied?—A large structure is placed in Guildhall yard with the names of the various companies fitted on the little doorways and the names of the various companies are to be over the respective doorways.

2393. Does the beadle come with his flock?—The beadles of the companies are stationed at their doorways and they are supposed to distinguish, and to the best of their ability do distinguish, because they know every liveryman personally from collecting quarterage from them, and they admit them in that way and care is taken as far as possible. I suppose it is not entirely possible to do it any more than to secure that in the old days none but electors shall be in front of the hustings, although it is done much better than that. They are admitted into the hall, and those who are not liverymen are called upon by the common crier to depart, so that for all practical purposes the hall consists of liverymen. But very much does not of course turn upon that, because in a case of a very narrow majority by show of hands a poll would bring things to a proper bearing.

2394. A register is kept in case of a poll?—Oh, a register is most carefully kept.

2395. Usually it is done by show of hands?—It is always done by show of hands.

2396. Not exclusively; sometimes there is a poll?—Very seldom indeed, there have been a few polls of late years, not many, I think not for 20 years.

2397. (*Lord Farrer.*) Not for 20 years?—I should think not. The last that occurs to me at the moment was when a Lord Mayor was desirous of being re-elected; I think that was some 20 years ago and it came to a poll and he was not re-elected, but the next alderman on the list was elected on the poll.

2398. (*Mr. Crawford.*) There have been polls in connexion with the shrievalties?—Oh, yes, there have been polls in connexion with the shrievalties; I am speaking of the election of the Lord Mayor at this particular moment.—Oh, yes, shrievalties oftener rather, yes, decidedly oftener, because there are outside candidates for the shrievalty.

2399. (*Chairman.*) Was there not a poll for the second year that Lord Mayor Fowler served?—No; the second year he was returned he was called in and elected by acclamation. I may say because of the death of Alderman Nottage, and they asked him particularly to come in again.

2400. There is also a poll in connexion with another election, the election of a chamberlain?—That is another matter; there was on the last occasion.

2401. There is no agitation on the part of the constitution of this electoral body, the liverymen?—No, no electoral agitation, certainly in the sense in which you mean.

2402. The inhabitants of the City who are not liverymen have not complained?—No, not at all, not in any way.

2403. There is no sectional opposition then?—There is no sectional opposition.

2404. Between the electors of the ward, and the electors in the Guildhall?—No, not at all.

2405. (*Lord Farrer.*) And the livery as a matter of practice, return the two senior aldermen?—As a matter of practice they do. They used not to do it. The other day at the late election, I do not think there was any *mal prepense* about it, the larger number of the hands was held up for the next in rotation, now our Lord Mayor elect, and when the other names were put successively, it did so happen that a gentleman two or three down was considered by the sheriffs to have a larger show of hands and his name was the second sent in, but I do not think there was any intent about it; I think the idea was to return the one they wanted to select.

2406. (*Chairman.*) The important thing is the first nomination?—The important thing is the first, no doubt.

2407. These two names being returned to the Court of Aldermen, they select one of them?—The aldermen meet in chamber and select one.

2408. They have the power of refusing both?—They have power of veto.

2409. Has any case recently happened in which they have declined to receive either man?—No, I do not know of any case; I do not know of one.

2410. What power of veto have they?—I think they have the power of veto; I think they always have had the power of veto.

2411. That is to say, they could refuse both?—Yes.

2412. But you are not aware that they have ever done it?—I am not aware of their declining the two; I am aware of them having declined one, and on the argument they might decline the other.

2413. They could not accept both?—No, but I mean to say, passing over the senior in that way.

2414. If two are selected they may select one?—They usually select the senior, but they may select the other.

2415. You are not aware of their having refused both?—No.

2416. The person so selected is presented to the Lord Chancellor?—The person so selected is presented to the Lord Chancellor.

2417. That is for the Queen's approbation?—That is for the Queen's approbation.

2418. Has that been withheld?—Not of late years, but I believe it is in history that it has been done; in fact, I am sure it has, because I have read it, but not for very many years.

2419. What is the latest date?—Well, I am not sure, we have not got it here; yes, I think so; yes, I think we find it here.

2420. (*Lord Farrer.*) Edward I. took it into his own hands altogether?—Oh, yes, he did; Edward I. kept the City without a mayor for 12 consecutive years, but in modern history there has been no declining on the part of the Sovereign.

2421. (*Chairman.*) You seem to have a memory of one within the last century or two?—No, I did not intend to convey that, it was a slip of the tongue if I said a century or two; I mean not for any modern time at all.

2422. (*Secretary.*) Was there not some difficulty about the election of Wilkes as Lord Mayor. I think he was rejected the first time he stood, but I am not sure whether this was by the Sovereign direct, or through the Court of Aldermen?—That is a matter, I suppose, of record, and my personal knowledge does not go to it; I know he got into Newgate among other things.

2423. (*Chairman.*) And was chamberlain?—And was chamberlain.

2424. You call attention to the fact that there is a fourfold condition to be fulfilled before a person can be Lord Mayor?—Yes; first he must be an alderman, secondly he must have been a sheriff.

2425. (*Lord Farrer.*) He must have been a sheriff?—Well, he must go through the election of sheriff. He has first to pass the original election of the rated inhabitants of the ward he desires to represent; he first submits himself to that popular election, and the rated inhabitants pass him as it were.

2426. (*Chairman.*) That is subject to the approval of the Court of Aldermen?—That is subject to the approval of the Court of Aldermen; they have a veto which, as Sir David Evans explained, was exercised as happened very fortunately, of late years. I may

say one thing, to fill up, one little thing that occurred to me, that I suppose was not in Sir David Evans' mind. He was asked, I think by Lord Farrer, and it seemed to me a very salient point, I think his Lordship said, "So the Court of Aldermen then "passes as it were censure upon the electors." The real fact is, where the value is looked upon as so great, that the Court of Aldermen have—moving in commercial circles—very often private knowledge that the electors at large have not got, and hence the veto is such a useful and such a salutary one. And in the two cases in which it has been exercised—two cases that are very familiar to all minds, I do not want to particularly mention them—it was a most fortunate thing that the veto was exercised.

2427. (*Lord Farrer.*) That is the veto upon his being alderman?—Yes, I am speaking of the aldermanic veto.

2428. (*Mr. Crawford.*) But they can veto for Lord Mayor?—Yes.

2429. (*Chairman.*) Yes, go on?—Then, thirdly, the livery in Common Hall elect, and fourthly, the Court of Aldermen elect, so that a gentleman from the moment that he submits himself to the popular election of the rated inhabitants till he receives the approval of the Court of Aldermen before he can become Lord Mayor passes through as it were four electoral ordeals.

2430. And then there is the Sovereign's approval, whether that would be worth much or little now. The Lord Mayor, as we all know, is a person of great importance?—In the City.

2431. He is called to the Privy Council on the demise of the Crown?—Yes, that I understand is so. The Crown happily is of such long duration in the present reign that personal acquaintance has not gone to it. But I understand that that is the case, that he is specially called. I learned that from the authorities.

2432. You say this prefix rests on historical grounds, do you know what those are; do you know what the origin of his being a member of the Privy Council is?—He is only a member of the Privy Council in this way: I think the word Right Honorable is a courtesy prefix at all times, and it is founded on what I have stated. I remember some time ago having a little conversation with Garter on the subject, and he said that is so, that he is summoned to the Privy Council on the demise of the Crown.*

2433. Every Lord Mayor is a Right Honourable, though he is not a member of the Privy Council; it does not necessarily imply that he is a Privy Councillor?—It does not necessarily imply that he is a Privy Councillor; that is the case, and that no doubt leads to the prefix.

2434. (*Mr. Smith.*) It has nothing to do with his having to toll the bell of St. Paul's?—Not at all.

2435. (*Chairman.*) The Mayor of York is a Lord Mayor, and has been Right Honourable for centuries?—That I do not know; I believe all Lord Mayors do assume the prefix Right Honourable.

2436. And new Mayors who have been made Lord Mayors, I understand, will be designated Right Honourable?—The truth is I know something about the origin of that. I have had letters I have expressed my inability to answer. I think they have quietly assumed it, and nobody has objected. I find difficulty in giving much foundation for it.

2437. And whenever he is unable to attend himself apparently to discharge his functions he must have as a substitute an alderman who has passed the chair?—Yes; when he desires to appoint a *locum tenens*, which he does by a formal document *pro ista vice*, he appoints an alderman who has passed the Chair to preside over the Court of Aldermen, and over the Court of Common Council on those formal occasions, or on any other occasion of that sort. For ordinary purposes any of the aldermen may represent him.

2438. That is a usage that could not possibly be traced to any authority?—It is usage without authority.

2439. Then it is the practice of the Home Secretary to communicate to the Lord Mayor the occurrence of events in the Royal Family?—That is done always, and it is duly posted on the Mansion House, so that all who run may read.

2440. Has the Lord Mayor any powers or duties apart from being chairman upon those occasions, and as a magistrate?—Do you mean as regards the Corporation?

2441. Yes. Is there anything he could do *proprio motu*?—Automatically, you mean.

2442. Yes?—I should say not anything beyond the fact of his being chairman, and what a chairman may do. Of course the Lord Mayor may hold a court, and may break up a court, by removing the mace, but so I take it any chairman might break up or dissolve a meeting.

2443. And he summons meetings?—And he summons meetings of the Court. All the papers of business for the Court of Aldermen and the Court of Common Council are prepared by the Lord Mayor. The fact is they are prepared by the Lord Mayor's officer, and he sees them, and initials them. Sir David Evans perhaps, to some little extent, wandered in one respect, when he said that the Lord Mayor can do as he likes about different things upon summonses*; that is in theory right, but in practice it simply means this, the Lord Mayor is answerable for the summonses. As to the reports of committees that come up, I do not think under any circumstances his Lordship could keep them off the summonses, although perhaps he might say, "Well, I think perhaps "this might wait till another court." But what the Lord Mayor's powers extend to is this, that it would be not only his right but his duty to keep off improper matter, irrelevant, or improper, or puerile matter; he is responsible in that way, that only matters should come before the Court of Aldermen, or the Court of Common Council, that he knows about, and as he is advised, are fitting to come before it. There is one more point I may say that was a slip of Sir David Evans. I dare say he had forgotten for the moment he was not as Lord Mayor *ex officio* a member of all committees of the Corporation.† The Lord Mayor is on certain committees of the Corporation, he acts on committees as any other alderman; as an alderman the Lord Mayor takes his part, but the Lord Mayor is hardly on any committee *ex officio* at all, so that he is not supposed to attend all the various committees. If he had any particular reason for coming to one, he would no doubt be received with courtesy, and what he had to say would be heard; but he, in fact, arrives at the business of the Corporation by means of those reports which come up to the Courts before they get acted upon.

2444. In fact, he is detached from the municipal work to a large extent?—Detached in this sense, that he is at the head of it all, no doubt.

2445. But he does not participate much in the actual work, and his mind is not brought to the solution of the different problems they have to consider?—No, in most respects, no, I should say the Lord Mayor, as an alderman, is on certain committees which he was on last year, they go on for four years; he is on this or that committee, and such committees as a Lord Mayor takes personal interest in and in attending, as is the case with all members of the Court, he generally contrives to attend during his year of office. The present Lord Mayor was chairman of the police committee, although, as a matter of fact, he might during his year of office let somebody else take it; he said he was so interested in the work, that he has it still, and he attends that committee.

2446. (*Lord Farrer.*) But he is not *ex officio* a member of all committees?—No; hardly any.‡

* *See* letter of Sir Charles Peel, Clerk of the Council, to Mr. H. D. Ellis, and published by the latter in the "Times," of the 18th September, 1889, p. 14.

* *See* Evans, 2271. † *See* Evans, 2229.
‡ *But see* Kemp, 4611-20.

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2447. If he attends any committee without any special appointment he would not vote, supposing there was a division?—If he goes into a committee to make a communication of any special kind he would not vote at all.

2448. I am asking this question in order to compare the case with that of the London County Council, where the chairman is *ex officio* a member of each committee, and where he does attend the committees regularly whenever there are subjects that interest him?—And vote?

2449. And votes.—Yes, he is *ex officio* a member of the committee. The Lord Mayor is not *ex officio* a member of all the committees, and unless he has been specially elected he does not vote any more than any other member of the Court who is not a member of that committee.

2450. It is not his practice to attend all committees?—No, it is very exceptional. If the Lord Mayor were to appear, other business would be stopped in order to know what his Lordship wanted and let him go.

2451. (*Mr. Smith.*) He really would know less of the municipal work than any ordinary member of the council?—I do not think that. All these reports come before him, whereas ordinary members are divided among the various committees.

2452. They read the reports, I presume?—Well, I suppose a literary man would read the Library Report, and would not care much about the Markets Report, and *vice versâ*.

2453. (*Chairman.*) Do you think the Lord Mayor reads them all?—I think the Lord Mayor generally takes a considerable interest in these reports. As to reading the details he cannot, seeing that our papers of business for the court give a *résumé*, and he does actually in my presence say, "What is this?" and by the summons he does practically get all the work of the different committees brought before him.

2454. He knows what is going on, just as a man who reads the "Times" knows all that is going on?—Yes.

2455. But does he control the course of things?—He does not attempt to control things beyond his own ken.

2456. (*Lord Farrer.*) Would he take this sort of part, "This is a subject of importance, but it had "better be deferred for the present, and you had "better put it in the paper for another day"?—He could do so, but he does not do so. He relies on the chairman of the committee, who is an experienced man, and who has been elected, and who is really responsible for the work of that committee, and the officers advising him saying that that is a matter which ought not to be taken now.

2457. And would he as chairman, when business comes before the Court of Common Council, take the responsibility of saying, "I think we shall not get "through the business if we take this long thing to "day; let us take it next time"?—I do not think I have ever known the Lord Mayor to do that; I do not think I have ever known such a thing. I have known a chairman get up and say, "My Lord Mayor, "it is getting late in the day, my matter is not "pressing, and as the court is rather thin I propose "to put it down first on the paper for next court." That is done by the chairman invariably; I do not think I have ever heard a Lord Mayor interfere with the chairman's responsibility in that respect.

2458. But he would take the responsibility of striking out of the paper anything that was manifestly absurd or improper?—Anything irrelevant, improper, or absurd, or disloyal, or to use an impossible word, blasphemous, he would say, "No, I decline," because a member always has his remedy; a member could get up in court and ask for leave to move without notice.

2459. I suppose you have some standing orders for the conduct of business?—Yes, they are largely referred to here.

2460. And he is bound by those?—The Lord Mayor is bound by those.

2461. He can put a construction upon them?—Yes, he may do that; of course he may rule.

2462. He is appealed to on questions of order, is he not?—Yes.

2463. As chairman?—As chairman.

2464. For instance, if a member got up and said "This is out of order, is it not?" in that case the Lord Mayor would decide?—In all bodies there are constantly arising points of order.

2465. And the Lord Mayor decides those points?—And the Lord Mayor decides those points.

2466. With the assistance of the officials?—With the assistance of the officials

2467. (*Mr. Crawford.*) He must certainly follow the debates for the purpose of calling to order?—Yes.

2468. (*Chairman.*) Sir John, about the Court of Aldermen, I observe that so far back as that same reign of Richard II., the same year in fact, Farringdon Ward was split up into two. That was confirmed, if not initiated by Act of Parliament?—Yes.

2469. Another illustration of the invocation of Parliament to do what might be supposed to be in the hands of the council?—In that case Parliament appears to have followed other action.

2470. It may be that that had already been done by an act of Common Council?—I think so.

2471. It would have been within their power according to that claim, but it was confirmed by an Act of Parliament?—It would have been within their power.

2472. (*Lord Farrer.*) Then with reference to that, is it known within what time the area of the City was fixed, as it is at present?—I think that it is recorded here somewhere. The number of the wards of course has not been varied since that time, but the outer wards have been taken in; I forget the date; we shall come to it presently.

2473. In this case the Farringdon Ward seems to have been within the City, but to have been divided into Farringdon Within and Farringdon Without, so that some time or other the City seems to have been extended beyond the old walls, so as to take in a district which had previously been outside the City?—I cannot tell you now at the moment; I shall find it. I think I have the worst head in the world for carrying dates.

2474. (*Chairman.*) It was a common thing for the City—for a municipality—to have jurisdiction within its walled area, and within a certain distance the liberties or purlieus outside that walled area?—As liberties, oh, yes.

2475. That is what the City certainly has had from the time of Richard II.?—No doubt.

2476. And there has been no change since that time?—And there has been no change in the number of wards since that time.

2477. Nor any extension of the area of the City?—I cannot quite say, but I think there has been an extension of area since.

2478. In which direction do you think?—Bishopsgate Without and Cripplegate Without.

2479. (*Mr. Crawford.*) I think there was one extension in one of the recent statutes relating to markets, a very small extension, but it was declared by Parliament that they should form part of the ward of Farringdon.

2480. (*Lord Farrer.*) And you say from that date to this no alteration has taken place in the number of City wards. Since Edward VI.'s time has any alteration taken place in the area of those wards?—That is what we were this moment speaking of; there were one or two casual extensions, but not much.

2481. (*Chairman.*) The outside wards?—The outside wards having thus been extended.

2482. (*Lord Farrer.*) Have the limits of the wards within the old area been altered; has any part of one ward been given to another ward?—No; no readjustment of the size of the wards.

2483. (*Chairman.*) The election of aldermen is now absolutely defined by statute?—Yes.

2484. The statute prescribes who shall elect?—Who shall elect and who may be elected. Any freeman may be elected, not necessarily residential.

2485. It is essential that he should be a freeman?—He must be a freeman of the City.

2486. There are not many cases I suppose of freemen not residential of the City now being elected?—Not very many, but they are not rare either. One of the Lord Mayors I remember, Alderman Allen, who was alderman of the Ward of Cheap, had a publisher's business in Waterloo Place.

2487. But he had also a publisher's business in Leadenhall Street?—Certainly not in his ward; anyway not in Cheap.

2488. Sir David Evans has told us already, I think, that he resided in one ward, Cordwainer Ward, and was elected for Castle Baynard Ward?—Yes, Castle Baynard Ward; he means to say he has not business there.

2489. Is there any recent instance in which an alderman has been elected who was a freeman but not resident within the City?—Oh, I think so, on looking back a little.

2490. (*Lord Farrer.*) The alderman must still have a 10*l.* qualification, must he not?—The alderman?

2491. Yes?—Yes, I think he must—no, no, I beg your pardon, the alderman need not, he need not have any qualification at all. Any gentleman in this room would be qualified.

2492. The voter for an alderman must have a 10*l.* qualification?—The voter, yes.

2493. (*Mr. Smith.*) I think the alderman may decline to serve if he is not worth a certain amount of money?—If he pleases he may plead that he is not worth 30,000*l.*, and he may decline to serve without fine.

2494. (*Chairman.*) Before that statute of 30 Victoria the election of aldermen was in what body? That statute carried into effect one of the changes recommended by the Commission of 1854?—The electors were the freemen before that. The tendency of modern legislation has been to put it into the rated inhabitants.

2495. But there has been no corresponding change in the City Hall. You would have anticipated a corresponding change in the City Hall, but that has not taken place. The electors for the aldermen were formerly the freemen within the ward; and such of these as were liverymen were then, and are still, the electors for a Lord Mayor?—Under the 30th Victoria, the rated occupiers became the electors for aldermen, but not for the Lord Mayor in common hall.

2496. Yes?—The electors in common hall are still the livery.

2497. And formerly the freemen within the wards were the electors of the aldermen?—Yes.

2498. But the change that has been made in the district of the ward has not been made in the common hall?—No.

2499. (*Lord Farrer.*) This section of the Act that is quoted here says that every person who is on the register of voters for the City of London shall be entitled to vote in the election for an alderman. That is not the case at present is it; no 10*l.* qualification is required for voting for the member?—For Parliament.

2500. For Parliament?—Well, there are two distinct sets of constituents there, the livery are constituents and the ordinary household voter.

2501. That is without a 10*l.* qualification?—That is without a 10*l.* qualification, the ordinary, whatever the qualification is.

2502. The question I wanted to ask was whether those who can vote for Parliament as rated occupiers without a 10*l.* qualification are voters for aldermen?—No.

2503. They are not?—No.

2504. (*Chairman.*) Is that so?—It is set out before you here by statute 30th Victoria, chapter 1: "Every male person of full age, not subject to any legal "incapacity, who shall for a period of not less than "12 months previous to the first day of December "in any year have been in the occupation within the "City, or the liberties thereof, either solely or "jointly with any other person or persons, of any "house, warehouse, counting-house, office, chambers, "or shop, or other building, and shall in the case of "a sole occupation be rated in respect of such "premises in his own name to an amount not less "than 10*l.* per annum, or in the case of a joint occupation be rated in the joint names of the occupiers "to an amount which, when divided by the number "of occupiers, shall give a sum of not less than 10*l.* "per annum for each of such occupiers to the police "or any other rate, shall be entitled to vote in any "election for aldermen in the ward in which such "premises shall be situate."

2505. (*Lord Farrer.*) Read the second section; consider what that means under present circumstances?—"Every person on the register of voters "for the City of London in use at elections for "members to serve in Parliament, and then in force, "in respect of the occupation of any house, ware-"house, counting house, shop, office, chambers, or "other building, shall be entitled to vote in any such "election for aldermen in the ward in which such "premises shall be situate." It is all right; Parliamentary voters as well as the first.

2506. Parliamentary voters, whether they have the 10*l.* qualification or not?—Yes.

2507. (*Mr. Crawford.*) Only it is confined to the ward in which the election takes place, voting for the qualifying premises?——

2508. (*Lord Farrer.*) Voting for the qualifying premises?

2509. (*Mr. Crawford.*) In the particular ward where the election is taking place, if you read section two of the statute.

2510. (*Lord Farrer.*) If he is an occupier of rated premises in the ward he votes for Aldermen, whatever the value of his occupation is?

2511. (*Mr. Crawford.*) Yes.

2512. (*Lord Farrer.*) That is so, is it not?

2513. (*Mr. Crawford.*) That is so.

2514. (*Lord Farrer.*) Then those voters are in fact members of the Corporation of the City, although they may not be freemen; and although they may not have a 10*l.* qualification.

2515. (*Mr. Crawford.*) You are mixing up the two elections?—A voter need not be a freeman.

2516. (*Lord Farrer.*) A voter for an alderman?—A voter for an alderman need not be a freeman.

2517. Need not be a freeman?—At one time he was, I think the last was in the Act of George I., he must be a freeman, being a householder and paying scot. Now, householders and those who are on the parliamentary register have the right to vote.

2518. Consequently they become for all practical purposes constituents of the City Corporation?—Yes, constituents of the body corporate.

2519. (*Chairman.*) These elections are held in the ordinary manner, the Lord Mayor goes and presides I think?—For the election of aldermen the Lord Mayor presides.

2520. And the person returned is then subject to acceptance or rejection on the part of the Court of Aldermen?—On the part of the Court of Aldermen. The Court of Alderman admit him if they are so minded, in fact, they admit him unless they are minded not to do it, and they swear him.

2521. And in the event of any alleged irregularity in the election, how is that examined?—By petition presented to the Court of Aldermen; they have charge of the whole business?—Yes.

2522. (*Lord Farrer.*) Where do these wardmote elections take place?—At various accustomed places of meeting in the various wards. For instance, in the Lord Mayor's present ward, the Ward of Bridge, the

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Fishmongers' Hall is accorded and they usually do it there. In the largest ward of all, Farringdon Without, the largest room in the Old Bailey is used for the purpose; in some wards it may be a school room.

2523. (*Chairman.*) Usually some livery company's hall?—Some convenient place in the ward that is lent for the purpose. There is not a wardmote hall existing anywhere. The Guildhall itself stands in three wards, and the elections are held in some part of the Guildhall for Cheap, Cripplegate, and Bassishaw.

2524. (*Mr. Smith.*) Can you tell us about how often these elections take place?—For common councilmen?

2525. No, for aldermen?—Only when there is a vacancy.

2526. But how often?—The old idea used to be about two or three years; for a short time they were very often, and for the last year or two I am happy to say there have been hardly any vacancies.

2527. What would be a fair average, a vacancy about every two or three years?—Yes.

2528. (*Chairman.*) There are 26 aldermen?—Yes.

2529. And they are men of some age when elected?—Well, I do not know, it is wonderful how young they come in now; you had an instance to-day of a young gentleman as I call him, probably you might too, who has served the office of Lord Mayor a few years ago. I think it varies very much. The present Lord Mayor, on the other hand, is a very vigorous man; he is in his 70th year, you know.

2530. (*Mr. Smith.*) That is enough for my purpose, that you do not have more than one a year?—I should think that is the outside of it, taking 10 years together.

2531. (*Lord Farrer.*) Is there any excitement generally about the election of an alderman?—Oh, sometimes, here and there; it happens that some man is well known in the ward as a public man, and is looked upon as the man they will have without any doubt, and no one thinks of opposing him. He comes in by acclamation, as was the case with the now coming Lord Mayor, Aldermen Tyler; the whole ward seemed to point to him as the man. But here and there there is a good deal of contest for it.

2532. (*Chairman.*) How does a man get influence in his ward?—By various public services; we have 25 or 26 wards, but in the City there are 108 parishes, and there are the usual parish offices you know, with the usual parish excitement.

2533. Was Alderman Tyler a common councilman?—He was a common councilman, and a deputy for many years.

2534. For that ward?—For that ward, the Ward of Queenhithe, and it is a ward consisting very much of people of his own calling, the wholesale paper trade; he is very much looked up to and respected; he was as good as told that if he cared to come forward they would take him by acclamation; he finally did so and was elected. But now and then there are heavy fights indeed.

2535. (*Mr. Smith.*) Does a man's introduction to public life in the City generally begin with parochial office?—I should be inclined to think that many do this. Men who come into the Common Council are mostly men who have been known locally by public work in their immediate districts.

2536. What sort of offices would they hold?—Churchwardens, overseers, trustees, up to recently, of many of the City charities, and so on.

2537. That is the principal way which a man has of making his public capacities known in the City?—Yes, in a public way; well of course his business position has something to do with it also.

2538. But business position alone will not do it?—I cannot say that; there are many City men in business whose names are world-wide you know, and people would say of them, "Oh, if Mr. So-and-So, will come forward." Supposing there were a man living now,—I do not think there is—of the great firm of Copestake; if one of the Copestakes were to come forward, why the name would carry him in on the top of the tide, as a man known and respected; so it is with people of that kind.

2539. (*Lord Farrer.*) Can you give any reason why there are so few men engaged in what is now the principal business of the City of London—banking and finance — amongst those that come forward for any City place?—I should be rather inclined to put it down to the reason that men in banking and finance are usually very wealthy men having large estates—land say—and that they have not the time, or perhaps the inclination, to be sufficiently in the City. I think our great bankers and financiers are not like the working bees that I belong to; they perhaps come in four days a week from 11 till 2, and go away to their country seats; and I think that is the reason.

2540. There must be a great many very hard-working men connected with finance in the City?—Yes, and possibly so hard working on the other hand that they are totally unable to do anything else but to attend to Mammon.

2541. But it is the fact that they stand very much aloof?—I cannot say they stand very much aloof, but they do not come forward in such numbers as the merchant whose counting-house work is done by heads of departments and clerks, and who perhaps has only to attend a couple or three hours in his own counting-house to sign cheques and so on. Most of the bankers are men who must positively be in their work all day if they are at work at all, unless they are so far from it as to be absentees.

2542. And the old merchant has died out? The old residential merchant has died out without a doubt. I do not suppose there is now a single alderman living within the City walls; I should think not.

2543. Not only the old residential merchant but the business of the great merchants has very much changed?—I cannot say at all; my opinion would not be worth the breath I uttered it with; I do not know.

2544. Then another very large class—shipowners—they do not come forward, do they?—I do not know that they do.

2545. (*Mr. Crawford.*) There are one or two shipowners who are common councillors?—There are several on the common council. I was thinking of the aldermen for the moment. Alderman Lusk is the nearest approach, he has always been connected with shipping.

2546. And Alderman Ritchie? — Yes, Alderman Ritchie; one has to think them out for a moment.

2547. (*Lord Farrer.*) Do the heads of the great wholesale houses take an active part in the City?—In places they do; such a man as you had here to-day, in Sir David Evans, does. His wholesale house is one of the Manchester houses, indeed one of the Watling Street houses, and it is a very large house, and there are very few retail men amongst the aldermen indeed. Many of these old houses have now amalgamated and turned their concerns into limited companies, so that in that way they have lost individual touch.

2548. But still there are persons who manage those limited companies, who are leading partners in those limited liability companies?—Many of those gentlemen do take an active part in the City affairs. Sir James Whitehead, an ex-Lord Mayor, was chairman of one of the leading limited companies in the City.

2549. (*Lord Farrer.*) Are there a large number of chairmen of the great companies, chairmen or directors of the great companies, that are in the City government?—Not a very large number I should think. You see there are only 26 aldermen in all; they are all men in a large way of business if I think them out; well, there are two gentlemen of great respectability, of great standing, they are the two Aldermen Lawrence. They have by good fortune retired; they were large timber merchants years ago; they have retired, I believe, so repute says, with ample fortunes, and ample time to give. Well, they are two of our leading aldermen; in fact, Sir William Lawrence is the senior. They are both very active men, and are doing a great deal of work in that position.

2550. (*Mr. Smith.*) It is rather invidious to ask questions of this kind, but have you any book that would show the professions and occupations of your various members of the City Council, the common councilmen and the aldermen?—No book certainly that would show it, because we distinguish them by their companies, and addresses.*

2551. Their trades or professions or occupations are not given?—No; their trades or professions mostly, like their politics, are as unknown to me as they are to you. I quite by chance may know some. One knows more about the aldermen, for one sees more of them perhaps; they are fewer in number, one is better able to tell. I think I know the business of all the aldermen.

2552. I had reference to a statement made by the Commissioners in 1837, and I wanted to know if the same condition of things applied; that is all?——

2553. (*Chairman.*) Sir Robert Fowler was a banker?—He was, and one of his firm, Alderman Dimsdale, is a banker.

2554. (*Lord Farrer.*) What I wanted to get at was to what extent the existing Corporation, the governing body of the Corporation of London, can be said to represent what we ordinarily should call the business of the City as well as the holders of tenements in the City?—I think several of the aldermen are directors of limited banks; with the exception of one or two banks the greatest in the City are limited companies, and several of the aldermen are directors of those. In that sense business is eminently represented by them.

2555. (*Mr. Smith.*) There was a Parliamentary return obtained in 1882 on the subject of the trades, professions, and occupations of aldermen?—I remember having to prepare one at that time, especially with regard to residence, I think.

2556. It is residence, business, profession, or occupation?—Yes.

2557. I was not aware of its existence till to-day?—I thought it was longer ago than that; yes, there has not been one since.

2558. (*Chairman.*) The Court of Aldermen when constituted exercises some jurisdiction over the Livery Companies; would you tell us what that is?—They claim to do so. They have now a jurisdiction over the Livery Companies up to a certain point. The Livery Companies if they desire to enlarge their livery have to come to the Court of Aldermen for permission to do so.

2559. Is that the only way that the court now interferes with the livery?—Yes, I think it is; they incidentally inquire, if they are increasing the livery, what their fees and fines are, because they object to their lowering those, and they would object to any increase of the livery involving such lowering of fees.

2560. Your statement is: "The court exercises "jurisdiction over the Livery Companies, and takes "cognizance of any matters that may be brought "before the court touching the manner in which the "Livery Companies act up to the conditions imposed "by the court in granting the livery or otherwise"?—Where a Livery Company has not had a livery (they may have been a chartered company of freemen without a livery), and they may have come to the Court of Aldermen at some period or other to ask that a livery may be granted, the Court of Aldermen has by old custom a right to grant it. The Court of Aldermen then in granting the livery, if they do so, stipulate that the fine on admission to the livery shall be such a sum, and they would take cognizance of any breach of that if it were reported to the Court of Aldermen that the Worshipful Company of Bellows Menders, using a fancy name, were admitting liverymen at 20*l.* apiece instead of 60*l.* or 80*l.*, or whatever the condition may have been; they would have them before them and take cognizance.

2561. And do they also prescribe the number that can be admitted?—Yes, undoubtedly, if a livery has asked for an extra number. Sometimes a company will come up and say, "Our number is 100; we have "over 100, and we have a number of reputable "gentlemen more or less connected with the craft "that the company is supposed to foster and does "foster, and we ask for liberty to increase the "number." The Court of Aldermen then have, by a committee, the master and warden and clerk of the company before them, inquire into the matter, and come to a decision upon it.

2562. Suppose it is found that a Livery Company admits liverymen whether by small payments or in excessive numbers what can the Court of Aldermen do?—I think they can cancel their rights altogether.

2563. Any thing short of that?—They could admonish and request them to make submission and to correct. There is no doubt of that if they were so minded; if it were a small offence.

2564. They can advise or remonstrate, but if neglected?—If found out to be a mistake or an inadvertence or a misapprehension.

2565. If persisted in the only means of correcting is to cancel their livery?—To cancel their livery.

2566. (*Lord Farrer.*) What is the exact meaning of "Livery"?—The exact meaning of the word as handed down to us is that the various companies wore uniforms or liveries attaching to their own craft. A company called their freemen up to the distinction of wearing the livery pretty much as an Oxford boy wears his blue, if he is good enough and so on. The freemen were the lower grade, and they were called up to wear the livery if they were considered worthy of what was looked upon as the distinction.

2567. And the Court of Aldermen had a jurisdiction to give or to refuse the livery?—To give or to refuse; to give a livery where there was no livery, if no livery had been there, and to limit the number of the livery when the livery was granted.

2568. With the view to the constituency—to not enlarging the size of the constituency?—Not swamping the constituency, no doubt.

2569. (*Chairman.*) Can the Court of Aldermen grant to a new company a livery created *de novo*?—You mean to say can the Court of Aldermen create a company.

2570. Yes?—No, a company must have a charter.

2571. A company must exist by a charter of the Crown?—Yes, a charter from the Crown.

2572. (*Mr. Crawford.*) And in most of the charters of the City companies you will find it is specially provided for, the Court of Aldermen having power in regard to the granting of a livery?—A good many of them, if not all.

2573. (*Chairman.*) These liverymen are parliamentary constituents of the City of London?—These liverymen are parliamentary constituents of the City of London.

2574. If they reside?—Within 30 miles.

2575. (*Lord Farrer.*) You say that the Court of Aldermen allow officials to be admitted constables, is that in connexion with the Commissioner of the Police or how?—No, they are what are termed extra constables. The Court of Aldermen have always had the authority to appoint constables and for all time as far as I know; certain public bodies in the City set out here, the Post Office, the Bank of England, the Stock Exchange, and so on, have asked for convenience sake for certain of their officials, especially the Bank of England, to be admitted as extra constables. They are pretty analogous to a special constable at a special time in any part of England. They are not in connexion with the police at all. I think most of those gentlemen who wear cocked hats in the Bank of England are special constables, so that they may summarily remove improper persons and so on.

2576. (*Chairman.*) Is this a special power of the Court of Aldermen that vests in them only as justices?—They have always done it as the Court of Aldermen, and they have done it from time

* *But see also below*, Q. 2555.

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immemorial; I do not think as justices except so far as the fact is that they are identical with justices, but it is not done by them in their meeting as justices; it is done by them in their meeting in Court of Aldermen so that they do it *quâ* aldermen.

2577. Is there any declaration made that it is necessary for the preservation of the peace?—Yes, the people who are desired to be admitted in the Court of Aldermen attend at what is called the Court of Outer Chamber, that is the Mayor's Court, and make a declaration before the Deputy Registrar of that Court.

2578. The Court of Aldermen are the Police Committee of London?—No.

2579. What have they got to do with the police of London?—Every alderman is a member of the Police Committee. The Police Committee as you will find later on is a committee consisting of all the aldermen, all the deputies, and a commoner from each ward.

2580. (*Lord Farrer.*) Then it rests with the Lord Mayor and aldermen to approve of regulations for the government of the Police Force?—No, not at all.

2581. You say so here.

2582. (*Chairman.*) Look at page 12 paragraph 2. "Under the City Police Act, 1839, (2 & 3 Vict., cap. XCIV.) it devolves upon the Mayor and aldermen to approve such rules and regulations as the Commissioner shall frame, for the general government of the force, and under the Metropolis Streets Act, 1867 (30 & 31 Vict., cap. CXXXIV.), similarly to give their consent to regulations framed by the Commissioner, as to the route for vehicular traffic within the City?—There are certain things under the Act that have to come before the Mayor and aldermen.

2583. (*Lord Farrer.*) No, but if you read that second paragraph?—"To approve such rules and "regulations as the Commissioner shall frame." I had my mind on the extra constables you were speaking of. Yes, that is so, that is under the Act.

2584. (*Mr. Smith.*) They are what we should call the Watch Committee to a certain extent.

2585. (*Lord Farrer.*) Then afterwards we find that there is a separate police committee?—The Police Committee of the Common Council has nothing to to do with the organization of the Police Force. It has to do with their clothing and various duties which are duly set out here. They do not interfere at all with the Commissioner's rights, responsibilities, and duties that are given him under the Act, not so much as a Watch Committee.

2586. (*Chairman.*) The Police Committee do not do that?—No, nor do they appoint constables. Police Committees in the boroughs appoint constables and sergeants recommended by the head of the force.

2587. (*Mr. Smith.*) The duties of a Watch Committee are mainly administrative, as regards the pay and clothing of the police: They do not interfere with the Chief of the Police's investigation into criminal cases unless he asks for their assistance?—That is in large boroughs, in some boroughs they do. I am acquainted with the comparatively small borough of Maidstone, and there the Watch Committee practically do everything needed. The borough being a small one, the Police Force is small, the Superintendent of Police was naturally a small man, and the Watch Committee took larger powers and used them.

2588. The Chief Constable or Inspector would object to be taken into detail in every prosecution?—Yes.

2589. (*Mr. Crawford.*) No committee has any such power in the City.

2590. (*Lord Farrer.*) I wanted to find out what was the exact line of demarcation between the Commissioner and the Court of Aldermen and the Police Committee as regards the government of the police?—The Police Committee of the Common Council have nothing to do with the government of the police at all, nothing. It would be perhaps convenient here to turn to the statement to see what they do.

2591. Unfortunately there is no page index to this?—There is a page index, but it is not lexicographical, and that you must attribute to the anxious hurry that was put upon us. At page 133 you will find it. It sets out the duties of the Police Committee briefly but thoroughly. Besides appointing the surgeon and receiver they control all the buildings, they look out for land to buy for the stations, and so on; they provide accoutrements, pay pensions, and have certain powers in connexion with the ward rates which are raised under and for the purposes of the act.

2592. Then this committee, which numbers 84 members, has really only to do with the providing of money and paying?—And providing and building police stations, a very important thing in the City where land is valuable and buildings are valuable. It has to do with all these duties that are set out here.

2593. But not with the government of the police?—Nothing to do with the government of the police, which is practically with the Commissioner, subject to confirmation by the Mayor and aldermen as laid down by the City Police Act.

2594. It is the Mayor and aldermen to whom the Commissioner submits his rules for the government of the police?—Yes.

2595. And his rules for the government of the street traffic and keeping order in the City?—Yes, omnibus time-keeping, and so on.

2596. The committee of the Common Council have nothing to do with that?—Have nothing to do with that.

2597. (*Mr. Crawford.*) And they are eventually submitted to the Home Secretary?—And they are eventually submitted to the Home Secretary.

2598. (*Chairman.*) Who appoints the Commissioner?—The Court of Common Council.

2599. Can they remove him?—No; they can remove him for malfeasance or misfeasance no doubt, but under ordinary circumstances they cannot remove him.

2600. (*Mr. Crawford.*) The Court of Aldermen can remove under the City Police Act?—Then only for misfeasance or malfeasance.

2601. (*Chairman.*) For good cause?—For good cause.

2602. The Common Council elect?—The Common Council elect.

2603. The Court of Aldermen remove for good cause, that is the position?—For good cause.

2604. (*Lord Farrer.*) These rules and regulations have to be approved by the Home Secretary?—Yes, and his appointment has.

2605. And his appointment too?—Yes.

2606. (*Chairman.*) The Court of Aldermen appoints committees out of itself?—It does.

2607. And some committees of the whole?—All the committees of the Court of Aldermen are committees of the whole Court.

2608. All?—Yes; there are but four, I think.

2609. Only those four?—Here they are, page 12; the Committee of Privileges, the Committee in relation to Gaols, the Committee for General Purposes, and the Finance Committee.

2610. Those are Standing Committees?—Those are Standing Committees. Special Committees are appointed from time to time as required, but I cannot call to mind any one that has been required, for the General Purposes Committee practically supplies all purposes.

2611. What is the difference between committees of the whole and the Court itself?—I will give you a case in point. Supposing an officer appointed by that Court applied for an increase of salary, the Court would at once refer it to the Committee for General Purposes. The Committee for General Purposes having dealt with it could do no more, unless they had special authority, than report to the Court, and the thing would be brought up and dealt with in open Court.

2612. That means two stages by the same persons?—That means two stages by the same persons, the

convenience being that the committee can sit as it does sit *in camera* and go into matters in detail, have persons before them, and so on, and of course there is a great saving of trouble and often difficulty and labour, because the thing is thoroughly, if needs be, confidentially, threshed out in the committee, but it comes up into the Court in the light of day to be finally adjudicated upon and dealt with.

2613. Does the Court of Aldermen now sit *in camera* ?—They do not sit, as a rule, *in camera*, they do so now and then for some purpose or other; there is such a thing as strangers withdrawing; that can be moved; it occasionally happens.

2614. Is there more freedom of discussion in committee of the whole court than in the Court itself?—Obviously so.

2615. Are there different rules?—Do you mean of debate?

2616. Yes?—I think not. Our custom in the Corporation is that the rules of debate that govern the Courts are held to govern the committees. They do not vary much. Now and then a little conversational latitude is allowed, indeed a good deal is allowed at some times, but if it came to a point of order it would be held and is held that the rules of the Court rule the committee. If any one member wished to speak 20 times he would eventually bore them, but there are personal and other matters that cannot be conveniently dealt with in Court that are done in committees.

2617. That is because they are privately held?—The committees, yes.

2618. And the Court of Aldermen is always open to the public?—Yes.

2619. Precisely the same as the Court of Common Council?—Here and there strangers are asked to withdraw when they are to discuss a presentation to the Queen or a presentation to some distinguished person. It is thought more delicate to do that in private—when possibly there may be a divergence of opinion—than to do it in public, and for that reason strangers withdraw, but it is an uncommon thing; it is not a common thing.

2620. The real distinction between the Court of Aldermen and the committee of the whole Court is that in practice the committee of the whole Court sits in private?—Yes.

2621. Whilst the Court of Aldermen sits in public?—Certainly. And the committee has committee powers and the Court has Court powers. The Court has full powers. The committee has only such powers as by the reference are referred to it.

2622. Yes, and both are composed of the same persons?—Oh yes, but you see there is nothing at all in that fact.

2623. (*Mr. Crawford.*) You are bound to have a certain quorum are you not for a Court of Aldermen?—They are bound to have a certain quorum; they might not be the same persons; 13 or 14 gentlemen in a Court might delegate a matter to a committee, refer it to a committee; that committee might meet the following week and not one of those 13 or 14 gentlemen might be there; five or six others might be there.

2624. (*Chairman.*) The same elements constitute the two bodies?—The same elements constitute the two bodies; they are members of both Courts. It is very much the same condition of things as prevailed in the late Metropolitan Board of Works, where all their work was done in their General Purposes Committee.

2625. They always resolved themselves into a General Purposes Committee?—Yes.

2626. (*The Secretary.*) Do you ever have two committees sitting at the same time?—Oh yes.

2627–8. Of the whole?—No. The Court of Aldermen itself, say, meets at one o'clock; the General Purposes Committee always meets at a quarter to one; if a Privilege Committee is wanted for any purpose that is summoned either after or before it, and the Finance Committee always before the Court.

2629. (*Mr. Smith.*) It is possible for the Court of Aldermen to sit in five different capacities in the same day; as a Court of Aldermen and as each one of those committees?—They can do so but they never do. We very often have a General Purposes Committee or a committee of one kind or another meeting immediately before the Court of Aldermen. The General Purposes Committee is the committee that generally meets a quarter of an hour before the meeting of the Court of Aldermen, to sign a report previously agreed to, so that it may go before the Court.

2630. (*Lord Farrer.*) Then the Court of Aldermen as a matter of practice does overrule the committee's decision?—No, hardly ever; I have known it done, but hardly ever. Sometimes a small committee would recommend something that the Court as a whole has objected to, but it is very very rare indeed, still it is a possible thing. Even then it is hardly overruled. The usual course with the City Corporation—which I take it, with other bodies, is very much the same,—is to refer it back for further consideration which means to say: "We are not quite satisfied "think it over again."

2631. (*Mr. Smith.*) You said a small committee what quorum do you require?—Three is a quorum o aldermen.

2632. Of any committee?—Of the aldermen.

2633. (*Chairman.*) And of the Court itself?—Thirteen; half the Court.

2634. The Court must have that number?—Unless there are 13, the Lord Mayor and 12, or his *locum tenens* and 12, there is no Court.

2635. (*Lord Farrer.*) Is the Court of Aldermen a Corporation in itself?—No, I think not; they are an inherent part of the Corporation.

2636. What is the exact relation between the Common Council and the Court of Aldermen with regard to the spending of money; what power of spending money has the Court of Aldermen; have they any such power independently of the Court of Common Council?—Yes, a limited power, but not a general power. The Court of Common Council are the purse-holders of the Corporation, but it has for a long time—in fact, for all time as far as I know, been conceded that in all matters especially within the purview of the Court of Aldermen, such as justice rooms, such as jails before the Prisons Act was passed, and the various other matters that will appear, the Court of Aldermen may draw warrants to pay, but if the Court of Aldermen were to come to a vote on an abstract question; supposing it met and desired to give 1,000*l.* to some public fund, or something of that sort, the Court of Common Council then would naturally raise objection; they would say that is altogether out of your purview and we object. The case has not arisen, but that is what would happen no doubt.

2637. The Court of Aldermen have power to spend money relative to their special duties?—Relative to their special duties and to pension their own officers, at least it was so. There is a general pension scheme now just come in; I am speaking of what has been. If a clerk in the justice room who was their officer retired, it would be for them to consider what his pension should be, and that would be ordered accordingly.

2638. (*Mr. Smith.*) They would make that order on the Comptroller?—On the Chamberlain.

2639. (*Lord Farrer.*) Can you give us any idea what the annual expenditure of the Court of Aldermen is independent of the Corporation?—I cannot without reference.

2640. What is it—20,000*l.*?—If I said 5,000*l.* or 25,000*l.* it would be wrong; it is such utter guess work. I have nothing whatever to do with the expenditure department. It is a matter easily ascertainable. When the Chamberlain comes before you or his principal clerk you will get all these facts. I should say certainly not, that was nothing like it.

2641. (*Chairman.*) I think it may be said that all the evidence that we have been dwelling upon so far

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of the Court of Aldermen has had reference to police work, or the justices' work, although we are not treating of the aldermen separately as justices?—Yes; I think as far as we have gone.

2642. (*Mr. Crawford.*) Except the Livery Companies.

2643. (*Chairman.*) It also appoints, I see, a visiting committee at Newgate?—Yes, that is under the Prisons Act—and at Holloway.

2644. A committee of the same character for the Holloway Prison?—Yes.

2645. What is this function it discharges with reference to Christ's Hospital?—Christ's Hospital—the condition of things at Christ's Hospital, with which your colleague, Mr. Crawford, is very much better acquainted than I am—has very much altered of late, and the new scheme took away from the aldermen the rights they had of annual nominations, and now all that happens is that the Court nominates six aldermen on the council of almoners, and I think I am right in saying that the Lord Mayor is the only person who retains a presentation.

2646. You have said nothing about presentations?—No, I have not gone into that at all.

2647. Simply six almoners?—There are six on the council, and they are just worth what they are worth; I mean if a man was very public spirited and very active he would acquire some influence there, and if not he would not.

2648. You wind up with a statement of the officers appointed by the Court of Aldermen?—Yes.

2649. They are judicial or magisterial?—Yes, their duties are magisterial.

2650. Does the Court of Aldermen appoint the Recorder now without limitation?—They appoint the Recorder municipally, without any limitation of any kind, under the Local Government Act. The approval of the Crown has to be given to enable him to perform judicial functions, but f there were no approval of the Crown he would be the municipal adviser of the Corporation, for what it was worth.

2651. But in order to clothe him in all his functions the Crown must assent?—Yes.

2652. What has the steward of Southwark to do?—Well, not very much, I think, now; it is a small nominal office. He went there last week to receive presentments from one or two manors either for real or alleged nuisances.

2653. (*Mr. Crawford.*) He presides over a court leet?—Over a court leet; it is an office that has practically died out.

2654. On page 77 you will find it. "The Steward's "Court, or Court Leet, was held on behalf of the "Corporation (as Lords of the Manor), and the "Recorder also acted as judge of the Borough Court "of Record(now fallen into disuse) which was held "for the trial of actions of debt, contract, and trespass "to any amount arising within the limits of the "Borough of Southwark. Courts Leet are still held "as occasion may require?"—Well, the Recorder went last week, I think, with the Secondary to hold one.

2655. (*Chairman.*) The Corporation is a quasi lord of the manor in Southwark?—Yes.

2656. The Alderman in Bridge Without never had any constituency?—I fancy not; I think not—certainly not in modern times.

2657. Each alderman is a justice?—Each alderman is a justice.

2658. And becomes such by election?—By election as alderman he becomes, *de facto*, a justice.

2659. By election and confirmation?—Yes.

2660. The Crown has nothing to say to it?—Nothing.

2661. Would there be any process on the part of the Crown depriving him of his authority?—To deprive an individual or to take it away altogether?

2662. To deprive an individual?—I should think—I give my opinion as a very humble one indeed—that the Crown, the Lord Chancellor representing the Crown, might remove an alderman for improper conduct as any other justice.

2663. (*Mr. Crawford.*) It is under an old charter of 17 Richard II.?—I should presume it. One is under the difficulty of never having known such a thing to be required or done.

2664. (*Chairman.*) The 17 Richard II. is an Act of Parliament apparently?—An Act of Parliament.

2665. (*Mr. Crawford.*) It was really a charter confirmed by Parliament?—Under the rules of the Common Council, the alderman would go *quâ* his office of alderman, and the other would go with it if he became bankrupt or committed fraud and so on; he loses his municipal office of alderman, and the other goes with it.

2666. (*Chairman.*) Under what provisions is it that he loses his office?—Under the 13th Victoria, chapter 94. It applies to aldermen as well as to common councilmen.

2667. (*Lord Farrer.*) I think also under the Bankruptcy Act of 1883, section 82, there was a similar provision?—Very likely.

2668. (*Chairman.*) You are not aware of any person being removed under the provisions of the statute of Richard II.?—I am not.

2669. Nor what the process would be if resort were had to that power?—I do not know; I cannot say. I should have to refer to the law officers to advise.

2670. You do not know whether there is any parallel to this election of justices in any other part of the kingdom?—Persons becoming justices by election?

2671. Yes?—No; not beyond the ordinary privilege for a year or two that attaches to mayors. Of course that is a parallel.

2672. That is not by direct election, is it?—The mayors?

2673. Yes?—No, probably not. No, it is not; of course it is not. They are elected by the Council; it is an election within an election.

2674. And now not necessarily that, since the council can elect a Mayor from outside their own body?—They can do that, I believe, now. I understand that is so.

2675. We heard from Sir David Evans, that the Lord Mayor always sits at the Mansion House during his year of office?—He mostly does; usually presides is the word we use.

2676. Unless he appoints a *locum tenens*?—He does not want to have a *locum tenens* for the bench. One magistrate sits for another as a matter of courtesy without any form at all. The *locum tenens* is required for certain fixed purposes, such as holding Courts, Common Hall, and so on.

2677. At the Guildhall there is a rota?—There is a rota.

2678. How often does each alderman sit?—Well, there are 25 for the year. They sit a week twice a year each, I think.

2679. Do all of them take their turn, or are some incapacitated or relieved from age?—No, there is no one relieved from that cause at all. Every one comes on the rota in due turn. The rotas are printed, and the aldermen accommodate one another, as one did Sir David Evans to-day; it rests with themselves. I think when an alderman is unable to do his work he would retire—Alderman Sidney was a case in point—he was a very hearty old gentleman who lived for some years after he retired; but he felt that he could not quite do all the work that was required, and retired simply on account of old age, though he lived, I should think, eight or ten years longer.

2680. Gave up his gown?—Gave up his gown—retired. Sir Reginald Hanson succeeded him.

2681. He might remain an alderman, and be excused his duties as justice?—He might do so by the courtesy of his fellows. There is no formal excuse. Any alderman may, on account of health, get leave from the Court of Aldermen for three or six months. That has been done; and then it has

been provided by the standing orders of the Court that the juniors shall divide his work between them.

2682. (*Lord Farrer.*) Do they sit together, or one alone?—Alone.

2683. (*Chairman.*) Each alderman has the power of two ordinary justices?—Yes, that is set out here.

2684. (*Lord Farrer.*) The division between the Guildhall and the Mansion House is now a north and south division, is it not?—Yes; north and south.

2685. It used to be east and west. Was not King Street once the division?—Well, I do not know. I really do not know. It is so out of my purview—the justices' room work. I have nothing to do with it at all. I only casually know the other thing.

2686. (*Mr. Crawford.*) You will find it set out on page 16?—Oh, it is here:—"The Petty Sessional "business transacted at the Mansion House Justice "Room includes that which arises to the southward "of a boundary line drawn from Leadenhall Street to "Holborn Viaduct, and the business at Guildhall "embraces that arising in so much of the City as lies "to the northward of that line. It frequently occurs "that a heavy remanded case, or press of business, "requires the attendance of a second alderman at one "or other of the Courts.

2687. (*Chairman.*) You are of the same opinion as Sir David Evans with respect to the value of these lay justices?—Yes; I think that I, as an old professional man, take rather a stronger view; and it may perhaps not be to everybody's satisfaction that I should state that my opinion of stipendiary magistrates is not a very high one. It seems to me that gentlemen who have not entirely succeeded elsewhere have become stipendiary magistrates. I am speaking of the whole—not of one here and there, one takes the whole of the country, and I do not think so very well of stipendiary magistrates, as I do, as a rule, of unprofessional or lay magistrates, advised by careful and responsible clerks—this is the result of my own experience in the law and out of it.

2688. How do you account for the preference for stipendiary magistrates in the big towns?—Well, I do not know that I admit it, to begin with.

2689. They are not imposed upon them; they have accepted and voluntarily make payments towards them. The amount of payment is compulsory?—I do not know what the condition of things is, whether they are put upon them or whether they are absolutely bound. I can only suppose it is that men fancy or it is the fact with them that they do not care to give the time to the work. I heard what Sir David Evans said to-day, and I agree with him very much. He did not express it precisely, perhaps, as I should have done, but I do thoroughly go with him that the hope of reward sweetens labour in men's minds. There is among men in the City who go in for corporate life a very large and probably a very just and proper ambition and they do not mind what they sacrifice in the way of time in order to achieve that ambition; they give time and attention; there is a certain emulation between them as to their work in the Justices' Room; they take care to be advised by very excellent clerks; the eye of the public is almost more upon their police cases than those of others, perhaps; they feel that very strongly indeed, and it is a matter of great pride with them to be as careful and as successful as possible. Certainly, whatever the reason may be, there is no doubt that they do give the most unremitting attention to their magisterial duties, and take a great pride in them, and they are active, and they do not do it in the perfunctory way that I take leave to say that I believe the stipendiary magistrates very often do.

2690. (*Lord Farrer.*) What salary do the City give to their chief clerks in the Guildhall and Mansion House?—Well, the Mansion House is the senior—speaking from memory—I should say that the Mansion House chief clerk begins with 500*l.* or 600*l.* a year, and as time goes on they are raised possibly in the end to 1,000*l.*

2691. Not more than that?—I should think not more.

2692. (*Mr. Crawford.*) I think Mr. Gresham had 1,200*l.*; Mr. Oke got up to 1,200*l.* I think?—Yes, probably. I am not sure.

2693. (*Lord Farrer.*) Do you think it would be a good thing to extend the same system, say, to the rest of London, and to put the business of the stipendiary magistrates into the hands—well, I will not say of aldermen of the London County Council, but of justices of the county?—If you could show sufficient inducement to men; because I spoke with the fullest possible intent when I spoke of City ambition just now. I do say that ambition does guide men, and guide their movements. You must show a reason to every man. What I began by saying I repeat: the hope of reward sweetens labour—some reward.

2694. I suppose there is this difference between the City and the rest of London, is there not, that the proportion of commercial cases is larger in the City?—The proportion of offences against property is enormous compared with that against the person. You may go to the Thames Police Court or some of those places—or even those that deal with the purlieus of the Strand, at night,—where drunkenness and assaults prevail. There is very little of that sort of thing in the City at all. There is no doubt that offences against property very much preponderate over offences against the person.

2695. So much smaller per resident population?—That is so; and there is no night population to speak of in the streets—no street attractions and detractions.

2696. (*Mr. Crawford.*) I am told that the highest salary is 1,000*l.*, and that was paid to Mr. Gresham?—Yes; I thought I was right.

2697. Mr. Oke went up to 900*l.*; Mr. Gresham was the highest—1,000*l.*, and he commenced at 800*l.*?—Yes.

2698. (*Lord Farrer.*) The principle you speak of would almost apply to county court judges as well; it is very much the same sort of business, some of it?—Yes. You must not draw me into any more personal opinions of an invidious character. There is no one to compete with the county court judges. You have to make county court judges, and to find men to take it. I have known some very poor hands at it in my experience—in my own experience.

2699. (*Chairman.*) Do you think that the experience of the great municipalities of the country would have been different if their justices had had the power given to the aldermen of the City; that is to say, that they might sit alone?—That is a point that I do not think I am fairly qualified to judge of. I am inclined to think so. I want especially one thing to be borne in mind that did not occur to Sir David Evans—one great point about City aldermen,—and that is the fixity of tenure. An alderman who is appointed for six years, with a pretty fair political possibility of being by the action of circumstances turned out at that time, has not the inducement to trouble himself to become an expert magistrate.

2700. I am not speaking of the aldermen of the great municipalities, because they do not become magistrates by virtue of their office?—I thought you were leading up to that.

2701. Taking things as they are, why does not a Liverpool magistrate, having the same qualifications—to a large extent he must have—of knowledge as a London merchant, as satisfactorily discharge his duties in Liverpool as the London merchant does in the Guildhall?—I gave you a reason just now.

2702. Is it because he is always tied to another man?—If he would give the time to it—if he had a sufficient inducement to give the time, and his mind and attention to it—he would do it as admirably, probably more so, because I think the north countrymen are rather the shrewdest. But he has not that inducement, he has nothing to live up to; he is simply a magistrate and justice of the peace for the rest of his life, and he does not care much. A City alderman

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is bound by a kind of freemasonry among his fellows, and he means to do his share or go. There is a code of honour between them; and, as I just now said, a reasonable amount of emulation that one shall make as good a magistrate as the other. I know that many of them are very keen indeed on their magisterial work, exceedingly fond of it and like it.

2703. There is a limitation on the Court of Aldermen, so that one man gets two weeks in the course of the year?—I think that is what it comes to. There are some men who take more rota, perhaps, not being otherwise very much occupied. A gentleman spoken of just now, Alderman Vaughan Morgan, has a business, a very large and important one, but it is that of a crucible house. It does not take his personal time and attention all day to look after that, I suppose, so as he is very kindly in his care of Christ's Hospital, he is equally very willing to his fellows to take their work, and a man who desires it may do so.

2704. (*Lord Farrer.*) Do you ever hear that people observe any difference between the way in which different aldermen do their judicial work?—I do not know that I do. I think one does acquire a sort of personal idea that one magistrate may be, for some purposes, keener or better than another. You speak of one as a good magistrate as you speak of a judge in one capacity or another.

2705. Is there any attempt, if there is a very difficult case, to get a specially good man to take it?—Tha I could hardly say. As I said before, it is not at all within my purview. There might be a very heavy case indeed, and if the Lord Mayor could not sit, if I were the clerk to the Court, I would try to get an active brain, an astute man, because men differ so. I think it is not improbable that it would be so; it rather rests with the clerk of the Court to get the Lord Mayor a substitute.

2706. *Chairman.*) When a heavy case comes on at the Mansion House, and the clerk suggests to the Lord Mayor, "You had better not begin it," the clerk has the pick of the men practically?—I think so. He may suggest to the Lord Mayor that he would ask Mr. Alderman So-and-So, as it is a class of case that needs a good man.

2707. In that way the fittest men get brought forward?—Yes, he may, always remembering that the clerk is always there—and a good and able man as our present clerk is—justice will presumably be done.

2708. (*Mr. Smith.*) If the City of London were very much larger in area, should you still advocate this system of judicial aldermen?—Yes. If the City of London were larger in area—as to which I may put in here a personally favourable opinion—personally—I am not speaking officially—and the other condition of things remained, I should be very much inclined, without any deep reflection on the subject, to think it would answer well, because I think the same spirit of emulation would prevail.

2709. You know that the great difference between the City of London and other large cities and municipalities is that most of those have extended their boundaries as circumstances required, and from various reasons, which it is not necessary to go into, the City of London has been hide-bound, and has never extended?—Yes.

2710. I am not putting it as a matter of objection, but as a matter of fact—is it not the fact?—that you can spare the time of your aldermen to do judicial work because your municipal work, from your small area, is not so important?—No, I think there, on the face of it, you are wrong, and when you have thoroughly read and digested this book you will say so—the municipal work is really very large, because it is not confined at all to the square mile of the City boundary. It includes port sanitary work, open spaces, markets, extending many miles afield.

2711. I am comparing your work with ours at Birmingham. We have 18 committees; I do not know how many you have?—Well, we have 30 committees.

2712. I wanted to ask you this, whether you thought that you could still spare presumably your best men for judicial work, if your area was extended, say, to something like the area of real London?—I do not think at all. What do you mean by real London? If you mean greater London, I look upon that as such an absolute impossibility that I cannot grasp it.

2713. I do not think we mean the same thing Take the area of the London County Council, which Parliament has fixed upon as a reasonable area at the present time?—If the City wall, say, for the sake of example, were made twice or thrice its size, I do not think the work of the Committees would be one whit increased. I think that the committees have got in them material enough to do at the same stroke the work of the larger area as they have the smaller.

2714. (*Lord Farrer.*) Including in that the work that is done by the Commissioners of Sewers?—Yes. My mind does not run on the Commissioners of Sewers, because I am not personally particularly familiar with it.

2715. (*Mr. Smith.*) That is the lion's share of the municipal work. They are doing the principal municipal work of the City, as I understand it?—Yes.

2716. They are the urban sanitary authority?—Yes; there is a very large number of them; there is no earthly reason why they should not do it, I think.

2717. What we in the provinces consider as municipal work, you are doing but little of except markets and port sanitary authority within the City?—That is your definition of municipal work.

2718. As defined by the Municipal Corporations Act—the Act that reformed all corporations with the exception of a few in the South of England and the City of London.

2719. (*Mr. Crawford.*) It was found by the Commissioners to be inapplicable to the City of London.

2720. (*Chairman.*) I might put it in another way: Do you think that the County Council, charged with the duties it has within the area of its jurisdiction, could afford to have its chairman, deputy chairman, vice-chairman, and several other officers fastened with judicial duties; could they sit as magistrates, and at the same time do their work in connection with the County Council?—I should think they probably conveniently could not. I do not think it would be convenient that the chairmen of all our committees should be acting as magistrates *qua* chairmen of committees. You see our system, as I should like this Royal Commission to bear in mind, is that every committee of the Corporation elects its chairman for the ensuing year; he must have been at least two years previously on the committee; he must be at least in his third year—he may be in his fourth—and he has the responsibility for the work of the committee. But if he were put to magisterial work it would not be very convenient; and so I should say it would be with the chairman and the vice-chairman and the deputy chairman of the county council. If they were all trying "long-firm" cases they could not be attending to their municipal work. But I do not think that affects the Lord Mayor or aldermen at all.

2721. (*Mr. Smith.*) I have only one other question. Supposing the same practice were followed in the City that obtains in the whole of the rest of London, namely, stipendiary magistrates, and one stipendiary sat, we will say, at the Mansion House, and the other at the Guildhall, I suppose the aldermen previously sitting would find plenty of other work to do?—The aldermen would.

2722. Yes?—Do you mean municipal work to do?

2723. I mean municipal work?—I do not think they would be wanted particularly. New work would have to be found them, in this sense, that whereas they do attend committees now, but not as chairmen, they might take up—they might come in to a new line of business, if I might use the expression, and compete for chairs and work in that way.

2724. And that would be, in its way, quite as great a reward as sitting as a police magistrate?—Oh, I think not. I think there is a very considerable charm in magisterial work, and it is a give-and-take business,

I think the aldermen like doing it, and I am perfectly sure the wardsmen like their aldermen to do it. I think the two Courts are looked upon with the very highest esteem.

2725. Do you not think it is also a very honourable position to be the chairman of a large committee, having immense functions to discharge in the first City in the world?—Oh, yes; it is a very honourable position to be sergeant of a company, but it is a great deal more honourable position to be captain of the company. The magistrate is a man of higher position surely.

2726. Surely the administrative work of a great committee is much more dignified than the ordinary work of a police magistrate—than trying a few prisoners at first instance?—"Trying a few prisoners"—that sounds like quarter sessions. Not "trying a few prisoners," but trying heavy cases. Magisterial work has an esteem all over the country. We know that men fight for it—compete for it—are at this moment quarrelling because the Lord Chancellor does not take into his own hands to make more magistrates out of a class of men who, with all their Americanised ideas, still do as every good man should, look upward; and every magistrate is not—I do not think the aldermen would feel compensated at all if they had their magisterial powers taken away and they were told they might go and be chairmen if they liked.

2727. Supposing, for instance, in London you had the gas and water in your own hands, as we have in most of the municipalities, do you not think that chairmen of one of those committees would do much more important work than a City alderman?—It might be important in one sense of the word; he might have a great deal more of that work to do. But that is two not 26. You would have to provide for 26 men.

2728. But do not many of the aldermen, who are on committees, take a great deal of the work in committee?—A great many of them? They do not take the office of chairman. A literary man will go on the Library Committee, as he would take an interest in the work. They would notify the committees they desired to serve on.

2729. (*Mr. Crawford.*) Sir David Evans told us he was Chairman of the Special Committee. That entails hard work?—That is an important committee of the Corporation.

2730. The present Lord Mayor is Chairman of the Police Committee?—Yes; that is not very hard work.

2731. (*Lord Farrer.*) This judicial work of the aldermen is then by far the most important and largest part of their work? They do not take a very large part in the administrative work?—They take a share; that seems hardly—in fact, it is very difficult to understand it; in their ward work they are literally—I suppose Sir David Evans really hardly saw his way to use the word—they are the fathers of their wards, and they identify themselves very very far more with their wards than the aldermen of ordinary country boroughs in my knowledge and experience do, for my father was town clerk of a country borough for a great many years of his life.

2732. (*Chairman.*) What does that paternal feeling produce?—In what way?

2733. Well, I leave you to explain?—I mean to say that they are really the friendly advisers in the wards in every possible way, and are looked up to. They lead in meetings—they lead in philanthropic work—in their wards very far more than I have ever known done by a specific alderman of a specific ward in the country.

2734. (*Mr. Smith.*) Pardon me, there are you not making a mistake?—An alderman in an ordinary municipality is not elected for a particular ward—he is elected an alderman of the City; and he is only assigned to a particular ward for the purpose of holding a ward election—that is all?—Well, I suppose that is so. Yes, I think you are right. I think that is so. But still, I like to use the comparison and contrast to show what it is the aldermen are here: that they are literally supposed to be the friend of the ward, and to take the lead in everything, and whatever is going on, whether it be a public matter or semi-public matter, the cry is, "Let us go and see the alderman." The alderman calls the meetings; the alderman rallies the people round him—and so on. The City alderman holds a position that I am sure is not understood elsewhere.

2735. I mean there is no derogation from the duty because it is not a duty to take that paternal interest in the ward that you have described. And an alderman of Birmingham is an alderman of the city of Birmingham—elected whenever a vacancy occurs; then after his election, when he is elected for the city generally, he is by a subsequent resolution assigned to hold ward elections in a particular ward; beyond that he has no connexion with it?—Some have no ward at all. For instance, at Maidstone, there are six aldermen to some four wards.

2736. I was not aware of that. We have a certain number of aldermen by charter, and a certain number of councillors; but the aldermen are not specially delegated to any particular ward, except for the purpose of holding a ward election?—Yes.

2737. (*Chairman.*) Besides these sittings at the Mansion House and the Guildhall, there are Quarter Sessions in the City?—Yes.

2738. Can you give us some information with respect to them?—I think not. Again I am afraid I must refer you there to the clerk of the justices. I mean I can give you nothing that would be valuable. There are the figures here as to the licences and so on, but I could not confirm them.

2739. There is here a statement that the aldermen who have passed the chair are justices of Southwark?—Yes, that I believe is so.

2740. That appears to be nominal now?—That is quite nominal.

2741. They never exercise any functions in Southwark as justices?—No.

2742. (*Mr. Crawford.*) It might be as well to correct a statement which appears, I think, in the third return of the London County Council, wherein they say that the justices of Southwark are paid—receive a salary?—We have contradicted that here, you know.

2743. What page is that?—At page 8 of the third return of the London County Council, they say, speaking of the aldermen as justices, "for these "duties they receive a salary." That is not so. The aldermen are not in any way paid.

2744. (*Chairman.*) Page 77—the last line: "The "aldermen (or justices) receive no emolument what-"ever."

2745. Have you anything special to tell us as to the licensing sessions in the City?—No, I have nothing. As I said just now, I have no sort of official concern with that; so that if I were to say anything it would be of no value.

2746. You do not apprehend that the functions of aldermen in respect of licensing sessions differ very much from the functions of justices of the peace at ordinary petty sessions?—I should be inclined to think not. It is within my knowledge that the aldermen, by deputations of their body, do give the most careful and thoughtful consideration to the licensing question. As I think Sir David Evans was saying only this morning—some of the older aldermen, who have many years experience in it—Sir William Lawrence, Sir James Lawrence, and Sir Andrew Lusk especially—attend a great deal to the work, and I think do it in the most conscientious and straight forward manner.

2747. What official should we call before us for information on those points?—I should think the clerk to the justices, Mr. Youle.

2748. (*Mr. Crawford.*) You will want two officials, the clerk of the peace for the quarter sessions and the clerk to the licensing justices, in respect of licensing matters. You can also have the clerks from the Mansion House and Guildhall?—Yes.

Sir J. Monckton.

3 Nov. 1893.

2749. (*Chairman.*) You have peculiar functions within the City as to fire inquests?—Yes; by a recent Act.

2750. And that Act appoints the alderman as the president or chairman?—Well, the condition of things under the Act is that the coroner holds inquests—the coroner for the City holds an inquest on a fire that seems to demand explanation. So recently as within the last week or two, I think, the coroner's jury found that a man had wilfully set his place on fire, and at this very moment the case, I believe, is under remand before one of the aldermen.

2751. The aldermen have nothing to do with the inquest?—No; nothing whatever. The coroner holds the inquiry.

2752. When a charge is made it is brought before an alderman in the regular way?—It is brought before an alderman in the regular way; and no doubt if there had been no inquest it might still have been brought before the alderman in a regular way. But in this particular case the coroner's jury found a fact.

2753. (*Mr. Crawford.*) If the persons are not present they have to be taken before an alderman; if they are present the verdict of the jury under the Act amounts to an indictment?—The Act of 1888 was the City of London Fire Inquest Act promoted by the City.

2754. (*Lord Farrer.*) Is that confined to the City?—To the City.

2755. Is there any similar Act outside the City?—I do not know of any.

2756. (*Mr. Crawford.*) There was one promoted to extend this; that was withdrawn. This is the only Act with relation to fire inquests in the City.

2757. (*Lord Farrer.*) I ask this question because I remember proposals to have inquiries into fires generally, similar to those held into the losses of ships.

2758. (*Mr. Crawford.*) The reason of it was that the Corporation held to the idea that the coroner still had his ancient jurisdiction to hold an inquest. There seems to have been a point taken by the late Chief Justice Cockburn, and to remedy the difficulty this Bill was prepared; it was passed into an Act; and, under section 6, the jury have the power to find a verdict of arson, which amounts to an indictment; and if the party or parties incriminated are present they can be immediately committed and tried upon that indictment.

2759. (*Mr. Smith.*) Has he the power of holding an inquest without a body.

2760. (*Mr. Crawford.*) Oh, yes, certainly. If the party or parties are not present then they are bound to be taken by the police before an alderman, and the inquiry is held.

2761. (*Lord Farrer.*) Does that take place in the case of every fire in the City?

2762. (*Mr. Crawford.*) It takes place where the coroner thinks it necessary, or where the Lord Mayor, or the Lord Chief Justice, or the Home Secretary directs an inquiry to be held. Every fire has to be reported upon to the coroner by the Commissioner of Police and by the head of the Fire Brigade, and if he considers it necessary he holds an inquiry, or the Lord Chief Justice, or the Lord Mayor, or the Home Secretary can direct an inquiry.

2763. (*Chairman.*) The reference to an alderman would be nothing more than a reference in other cases would be to two justices in petty sessions?—Yes.

2764. (*Lord Farrer.*) Only this case of an inquest makes it more likely that the case will be looked into?

2765. (*Mr. Crawford.*) Yes.

2766. (*Chairman.*) Each alderman is said here to have the rule and government of his ward?—Yes.

2767. That is a large phrase?—It is a large phrase, yes. That rather illustrates what I said just now, that he is the "Father of the Ward." He summons the wardmote in obedience to the Mayor's precept, who elect in respect of offices vacant to be elected, common councillors and so on.

2768. Has the wardmote any other business than that of filling up casual vacancies?—Well, I have got the wardmote book here. The precept which is issued by the Mayor to the aldermen, ordering him to get his wardmote together, says what he is to do—he is to cause so many men to be common councillors for the year ensuing——

2769. (*Mr. Crawford.*) That is the St. Thomas's Day precept?—Yes; I am speaking of the wardmote days.

2770. I think the Chairman was asking whether a wardmote can be held for other purposes besides the election of officers?—Well, here he is told at that time to elect his common councillors, a beadle, keep a roll of the persons——

2771. (*Lord Farrer.*) A beadle; who are the beadles?—The beadles are elected. A ward beadle is a ward officer.

2772. What has he to do?—Summon the people, and generally act as the alderman's right-hand man, not in the way of advising, like the ward clerk, but to perform the ordinary functions of a beadle in attendance on the alderman: he is their anciently accustomed ward officer. Then they have to see as to the public-houses also: "that no person keep any public-"house within your ward which is not licensed, and "that the publicans observe all the laws now in "force for the regulation and good government of the "several public-houses."

2773. (*Chairman.*) That is the alderman's duty?—That is the duty of the alderman as the head of the ward; and it is to be done by the ward—it is part of the duties of the wardmote.

2774. Part of the duties of the ward; but has the wardmote anything to do with public-houses?—Not the wardmote. That is the alderman's duty, that part of it.

2775. I want to know what the wardmote has to do—the assembly of citizens within the ward—other than that of electing the common councilmen beadle, and alderman?—It may be assembled for all purposes for which citizens meet at any time. There are no legal requirements of them, that I am at the moment aware of; but they meet in wardmote, and have done so for all time for all purposes that inhabitants or citizens do meet for. It is their mode of meeting.

2776. They could vote an address of congratulation or an address of condolence to the Queen?—They might do that.

2777. Can they institute any work within the ward?—There is no reason why they should not do that at all. If they anticipate times of danger or difficulty they might do; and the wardmote is the alderman's mode of getting them together.

2778. And levy a rate for the purpose?—No; certainly not.

2779. What would it be?—A voluntary meeting, with voluntary results.

2780. Have they any coercive legal power?—None.

2781. (*Mr. Crawford.*) They could resolve at a wardmote, could they not, to direct action to be taken in connection with a particular Bill which was in Parliament, and which might affect them?—They might pass resolutions, say, like all meetings of townsmen or citizens.

2782. But apart from resolutions, could not they go further, and direct action to be taken by the ward clerk in connection with the ward in opposition to a particular measure.

2783. (*Lord Farrer.*) Could they order the spending of money?—That is a point that occurred to me. I am not aware of any money they could spend. They might direct the ward clerk to send a resolution.

2784. (*Mr. Crawford.*) I am only speaking now as a former ward clerk. I remember it was one of my duties to oppose a Bill of the South-Eastern Railway in Parliament, on behalf of the wardmote, and the expense of doing so came out of the ward expenses.

2785. (*Lord Farrer.*) As a matter of fact, do they do anything of the kind?—As a matter of fact, they do not.

2786. (*Mr. Crawford.*) They pass resolutions and forward them to the Court of Common Council?—On St. Thomas's Day they do frequently pass a large number of resolutions on the questions of the day.

2787. (*Chairman.*) Votes of thanks?—More than that; strong resolutions upon points of public interest. I remember once there was a very strong feeling indeed about trading stores; and I think they passed strong resolutions upon that—the Civil Service Stores, I mean—as the Common Hall have done.

2788. (*Mr. Smith.*) What funds have they out of which —— ?—They have themselves, *qua* wardmote, no funds. I am not exactly aware of what the solicitor is speaking at this moment—out of the ward funds.

2789. I was anxious to see how he was remunerated?

2790. (*Mr. Crawford.*) You may take it I was, Mr. Smith.

2791. (*Mr. Smith.*) I suppose you were?—You had a liberal alderman, perhaps.

2792. (*Mr. Crawford.*) In section 85 of the City Police Act of 1839 you will find: "And whereas "there are various charges of ward clerks and beadles "and other expenses connected with the holding of "wardmotes or other ward meetings, and for other "local purposes connected therewith, within the "several wards of the said city, which have heretofore "been paid out of the Watch rate: Be it therefore "enacted that all the reasonable charges and expenses "of each of the several wards of the said City, in "respect of the several matters aforesaid, to be from "time to time approved and allowed by the inhabi-"tants of each such ward in wardmotes assembled, "and certified to the said committee by the alderman, "deputy, and common councilmen of each ward, or "the major part of them, shall be paid by the said "committee out of the rates to be made by virtue of "this Act." So that you will see the words there, "or other local purposes connected therewith": and the opposition to this particular measure was construed by us to be a "local purpose," and I was paid out of that particular rate, I remember.*

2793. (*Mr. Smith.*) Another exception to the Borough Funds Act.

2794. (*Mr. Crawford.*) Yes.

2795. (*Chairman.*) An alderman has a deputy—in some cases two deputies?—Yes; where there are two sides of a ward, two deputies.

2796. And they can take his place on all occasions except, of course, the annual elections, when they cease to be in office?—When they cease to be in office. That is so.

2797. Now, the aldermen are allotted to serve on the committee of the Common Council?—Yes. The Common Council consists of the Lord Mayor, the aldermen, and commoners. They form the Court of Common Council. Nearly all the committees are ward committees, and it means that they consist of a commoner from every ward, or side of a ward. That is 29, commoners and six aldermen are allotted to a ward committee by an old arrangement, and the aldermen settle among themselves at the commencement of the year what committees they will go on, mostly subject to the rule that they will serve for four years upon it. So that there are six aldermen and 29 commoners, and the late chairman, making together 36 members on each ward committee, of which there are 23 or 24, I think.

2798. What are the duties of the ward committee?—They are committees—we call them ward committees in contradistinction to special committees. A special committee may have 10, 12, or 15, members. But when a special committee is going to be appointed for any special purpose not previously required the Court say whether it is to be a ward committee, which means a committee representing each ward.

2799. (*Lord Farrer.*) To go back to the previous paragraph, does the wardmote make the ward rate—do they formally make it?—No; the common councillors of the ward, as I understand it; that is so, I think, Mr. Crawford?

2800. (*Mr. Crawford.*) The Police Committee. It is certified by the alderman deputy and major part of the common councillors of each ward.

2801. (*Chairman.*) Thirteen are necessary to constitute a committee of the Court of Aldermen; there must be two aldermen besides the Lord Mayor at every meeting of the Common Council?—The Lord Mayor and two aldermen and enough to make up 40.

2802. Perhaps you ought to tell us something about the aldermen and the Irish Society?—It is merely casually said here the aldermen have to do with it. But you will find it afterwards.

2803. They are trustees to several things—aldermen?—Yes.

2804. They have been selected from time to time. I see they are said to be trustees of Morden College?—Yes.

2805. Are they the sole trustees there?—Oh, no, I think not. I do not know who the other trustees are.

2806. (*Mr. Crawford.*) If you turn to page 309, it is fully stated. In future the aldermen will be the trustees?—They will be in the end, but they are not now. It is all set out there very fully.

2807. It is under Sir John Morden's will?—Turkey merchants have and the East India Company had certain representatives; they having failed, all future trustees must be taken from the Court of Aldermen or rather the aldermen of the City.

2808. (*Mr. Smith.*) By survival, as it were?

2809. (*Mr. Crawford.*) Yes.

2810. (*Chairman.*) There are seven trustees, apparently?—Yes.

2811. It is not quite correct to say that they are trustees of Morden College?

2812. (*Mr. Crawford.*) Not the whole of them as a body—no.

2813. (*Chairman.*) In point of fact, they will in future supply seven, and the seven will ultimately be trustees of the Morden College?—Yes.

2814. (*Mr. Crawford.*) At present two are?—Yes.

2815. (*Chairman.*) Apparently the Lord Mayor and aldermen have elected an alderman to be an additional trustee of Sir John Soane's Museum?—That is so.

2816. I suppose that was Sir John's own settlement? Was that an Act of Parliament?—Oh, an Act of Parliament, 3 William IV. Sir Robert Carden was the last; when he died Sir William Lawrence was elected.

2817. They are the Governors of Emmanuel Hospital under Lady Dacre's will and charter?—Yes; you will find that, at page 302, fully set out—the whole history of it.

2818. All these are cases in which the aldermen have been used as a body from which a certain number could be taken to act as trustees in public matters?—Yes. Just as a certain number of reputable people as the Prime Minister and other Ministers are made trustees in various cases—the British Museum and so on.

* *See also* Kemp, 4895–8.

The witness withdrew.

Adjourned till Friday next at 11 a.m.

SEVENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 10th November 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD OFFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary.

Sir JOHN MONCKTON, Town Clerk of the City of London, called in and further examined.

Sir J. Monckton.

10 Nov. 1893.

2819. (*Sir John Monckton.*) Before resuming my evidence, Mr. Chairman, I desire respectfully to make a communication to the Royal Commission, if I have permission to do so. Having regard to what transpired last Friday, when the Corporation's protest was under discussion, I deemed it to be my duty to report to the Special Committee what I gathered to be the opinion of some, at least, of the Royal Commissioners as to the nature and the extent of the inquiry entrusted to them by the terms of the Commission. While possibly unavoidable, it was unfortunate from the absence of a transcript of the shorthand notes that I could not quote what actually transpired, but had to depend upon the accuracy of my memory. This I did to the best of my ability, and in the result the following resolution was passed by the Special Committee:—"Wednesday, 8th November 1893. "RESOLVED, That the Town Clerk having reported "the result of his examination before the Commission "on Friday last, he be instructed on the resumption "of his evidence on Friday next to state that if the "Commissioners consider that the terms of the "Commission are definite, as settling the principle of "amalgamation, and that the presence of the repre-"sentatives of the Corporation is interpreted as giving "any assent thereto, this Committee will not feel "justified in tendering any further evidence until "they have brought the circumstances before the "Court of Common Council for its decision thereon."

2819*a*. (*Chairman.*) Then you are in a state of uncertainty as to whether you are to go on?—Precisely, that is what it comes to, Mr. Chairman.

2820. I think, in that case, you had better retire?—I thought it probable that we should have to do so for a short time.

[*The room was cleared and the Commissioners deliberated. At the conclusion of their deliberations Sir John Monckton was recalled.*]

2821. (*Chairman.*) Our secretary will read out to you the reply which we propose to make.

2822. (*The Secretary.*) "In reference to the "resolution of the Special Committee, the Commis-"sioners have to say that the presence of the repre-"sentatives of the Corporation before them is not "interpreted as giving any assent to the principle of "amalgamation. The Commissioners think that this "answer will probably be sufficient to enable the "Special Committee to proceed without an authori-"tative interpretation of the terms of the Commis-"sion?"—May I take that out for a few minutes to Sir David Evans?

2823. (*The Secretary.*) I will give you a copy.—Yes.

After retiring for a short time, witness returned and said:—The result of our deliberation is as follows, Mr. Chairman, which I hand in. "The Chairman of "the Special Committee and I have very carefully "considered the position, and with great respect "desire before proceeding further with our evidence "to have the opportunity of conferring with those to "whom we look for instructions." And I was about to say that that opportunity will not be very long delayed. There is a Court of Common Council on Thursday, and the Chairman will call the Special Committee meanwhile, so that if it pleases you to fix Friday next——

2824. You cannot appear before Friday?—Well, we cannot very well. It is a somewhat peculiar time of the year, and next Thursday is fixed for the first Court of the new mayoralty. There will be very great inconvenience in calling a special court unless it were absolutely vital that it should be done. Of course, that should then override all.

2825. It is rather inconvenient for our country members to come up for one day in the week; that is the difficulty, we like to have two consecutive days?—I trust, perhaps, at this juncture you will allow it to be so, and afterwards we must avoid any thoughts of Common Council or anything else. It is rather a particular matter to be considered, and we will have to get a committee meeting first.

2826. I am afraid we cannot coerce you, even if we had the desire?—Well, we use the words "with great respect" absolutely with meaning, because we do desire to be respectful and as useful as we can. You will appreciate, of course, the little difficulty we are in.

2827. You cannot go beyond your authority?—I hand that to your secretary.

2828. (*Lord Farrer.*) Is there any objection to this book of Observations as to the Result of the Royal Commission, 1853–4, being distributed?—I was going to speak about that; I am very glad you have mentioned it, Lord Farrer. I was asked for copies, and my answer was that, for the moment, it was a document that belonged more to the Royal Commissioners than to us. If you say that you would like it to be given here and there we will not object to go to the expense of printing sufficient copies. It really is put into print for convenience sake. It is the answer you asked to be supplied with, it might have been supplied in writing, when there might not have been any copies.

2829. Then we might have printed it, but as you have got it in print ——?—Very well, if you give an instruction on the matter as to your wishes—at any rate, hardly an instruction, but signify your wishes—we shall have a limited number of them printed; I suppose we shall have some 50 altogether probably.

2830. I think it is an interesting document?—Yes.

2831. And there is nothing in it that seems to be confidential?—If the Royal Commission say that, not only personally have we no objection, but rather with a view of facilitating the inquiry it will be done.

2832. I think it would facilitate the inquiry.

2833. (*Chairman.*) We have no objection; I do not know that we can express a desire that it should be circulated.

2834. (*Lord Farrer.*) My request is that the members of the London County Council may have

some copies?—Yes, they wanted some copies. I did intend to ask what your views were upon that.

2835. (*Mr. Crawford.*) I suppose the Commissioners could express the opinion that they could see no objection to the London County Council having 12 copies if the Corporation will supply them?

2836. (*Chairman.*) That is what I was going to say, that we, as Commissioners, see no objection to your complying with their requests?—Really it was in the position of a written document, so to speak. *Sir J. Monckton.* 10 Nov. 1893.

2837. Then we shall hope to see you next Friday?—If you please, sir.

The witness withdrew.

Adjourned till Friday next at 11 a.m.

EIGHTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 17th November 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary.

Sir DAVID EVANS, K.C.M.G., an Alderman, and Sir JOHN MONCKTON, Town Clerk of the City of London, called in and further examined. *Sir D. Evans, K.C.M.G., and Sir J. Monckton.* 17 Nov. 1893.

2838. (*Sir John Monckton.*) Will it be convenient, Mr. Chairman, if I state what took place in the Court of Common Council yesterday?

2838*a*. (*Chairman.*) We are, of course, awaiting the result of the action you took. You retired in order to get instructions, I understand?—That was so; yes. I can either state in detail what occurred or give the result of what did take place.

2839. We are more concerned with the result than with the details?—I have here the report of one—the Commission will——

2840. (*Lord Farrer.*) Might I ask whether we may accept as tolerably accurate the report in the morning papers of what passed?—As regards the "Times," "Standard," and "Chronicle," I think, yes. Then it might be sufficient without going into the details of the report of the special committee, which was laid before the court yesterday, if I read and hand in, if you will allow me to do so, the order of the court, which is a short document.

2841. (*Chairman.*) Are you furnished with the minutes of the proceedings of yesterday?—Yes.

2842. I mean, have you got a shorthand-writer's note of what took place?—Of what conversation took place yesterday?

2843. Yes?—No.

2844. We cannot go into those details then. We are not concerned with them. We could not criticise your action in the terms of your report to your council, or the deliberations of your council. We are only concerned with the result at which you arrived?—Then I think it will be sufficient if I read the result, and the result is contained in this paper, which, after I read it, I will, if you please, hand in.

"A COMMON COUNCIL holden in the CHAMBER of the GUILDHALL of the CITY of LONDON.

"TYLER, Mayor,
On Thursday the 16th day of November 1893.

"The Special Committee did this day deliver into this Court a report in writing under their hands of their proceedings, and under the circumstances therein stated, as regards the present position of the inquiry before the Royal Commission, submitting the following resolution for adoption by the Court, viz.:—'The 'Corporation, whilst ready and anxious to continue 'to tender evidence, can only proceed upon the 'assumption and an assurance that the Royal Com- 'mission will be ready to hear evidence when 'tendered upon the question of desirability, as well as 'of the convenient practicability of an amalgamation 'of the city and county of London,' which was read. And a motion being made and question put that this court doth agree with the committee in their said report, the same was resolved in the affirmative, and it is ordered accordingly."

2845. (*Mr. Crawford.*) In the resolution I notice the words "under the circumstances therein set forth." Would it not be a convenience to the Commissioners if you were to state what those circumstances were?—The statement of those circumstances is contained in that report which I have brought here for the purpose of reading—the original report—to the Commission, if they will be pleased to have it.

2846. I take it, Mr. Chairman, that the position is this: The Court of Common Council has come to a certain resolution on certain facts placed before that court by the Special Committee. The resolution which is handed to us officially by the town clerk refers to the fact, but it is not set out in detail, so that the Commissioners, except from what they may have read in the public press, are absolutely in the dark as to what has occurred—as to what are the circumstances which have led to the passing of this resolution. I should have thought that it would have been better for the Commissioners, seeing that the town clerk is here to give them the information, that the report itself—it is now public property—should be put before the Commissioners, in order that the Commissioners may be fully aware of what were the circumstances which led to the passing of such a resolution.

2847. (*Chairman.*) We shall have to debate that in private, but you may leave the report informally upon the table.

[*The room was cleared and the Commissioners deliberated. At the conclusion of their deliberations Sir John Monckton and Sir David Evans were recalled.*]

2956. (*Chairman.*) The secretary will read the answer we propose to make in reference to the resolution conveyed to us. [*The secretary read the answer as follows*]:—"In reference to the suggestion made "by the town clerk that the report in writing of the "special committee laid before the Common Council, "before the passing of the resolution, which has "been handed in, should be received with the reso- "lution, the Commissioners have to say that, in their

Sir D. Evans, K.C.M.G., and Sir J. Monckton.

17 Nov. 1893.

" judgment, it would be inconvenient and undesirable " to receive the report, to which no reference is made " in the resolution of the Common Council, which " resolution appears to be complete in itself. As " regards the resolution of the Corporation, the Com- " missioners would refer to the duties imposed upon " them by Her Majesty to consider the proper con- " ditions under which the amalgamation of the City " and County of London can be effected, and to make " specific and practical proposals for that purpose, " and in view of their instructions the Commissioners " feel themselves unable to give any assurance that " they would be ready to hear evidence when tendered " upon the question of 'desirability' of an amalga- " mation of the City and County of London. Whilst " thus unable to give the assurance referred to in the " resolution, the Commissioners would observe that " they have not been rigid, nor is it probable that they " would be rigid in the future, in their interpretation " of the limits of questions pointing to the convenient " practicability of amalgamation. The Commissioners " cannot conclude their communication without ex- " pressing their grave regret that the Corporation " should hesitate to proceed in co-operating with them " in the discharge of the duties imposed upon them, " and they would still hope to receive their assistance."

2957. (*Chairman.*) You will, of course, require to take that with you?

2958. (*Sir John Monckton.*) If I may do so.

2959. (*Chairman.*) The whole purport of it I may sum up at once, briefly. It deals, first of all, with this paper, which you proposed to put in, and which the Commissioners think it inconvenient that we should examine into, the resolution of the Corporation being complete in itself.

2960. (*Sir John Monckton.*) Then I do not think there is more to be said upon that.

2961. (*Chairman.*) And then, with respect to the report, we referred to the terms of our Commission. And in view of those terms we feel ourselves unable to give the assurance; but we say that, as a matter of fact, we have not been very rigid, and we do not expect to be very rigid in defining the limit of questions touching practicability. We are very sorry that there should be any hesitation on the part of the Corporation, and we still hope that you will be able to co-operate with us. Without your assistance our path would be made very dark, and our labours would be very imperfectly performed, and we certainly hope to be able to receive you here again. You will have to consult, of course, the Common Council, on the subject once more?

2962. (*Sir John Monckton.*) We must do so.

2963. (*Chairman.*) They, having passed this resolution, before taking any further action you will require a further resolution. May we express the hope that the Lord Mayor will see his way to convening a special meeting of the Court of Common Council so that their decision may be known before we meet again?

2964. (*Sir John Monckton.*) I am quite certain his lordship will do that.

2965. (*Sir David Evans.*) I have no doubt the Lord Mayor will call a meeting, and that he will be glad to do so.

2966. (*Chairman.*) As it is very inconvenient, especially to country members of the Commission, to come up to town for only one day. So that if when we meet again we could see you we should be very glad.

2967. (*Sir John Monckton.*) I have no doubt the Lord Mayor will call a very early court, as the matter is one of considerable importance. As you very properly say, in reference to the instructions we brought, it is impossible to come to any personal decision without consulting the court. I will see the Lord Mayor, without any delay, in reference to the matter. I would express the hope that, whatever happens, this book will be of considerable value to the members of the Royal Commission.

2968. (*Lord Farrer.*) It will be still more valuable if we get your assistance.

Adjourned till Thursday the 23rd instant.

NINTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 23rd November 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary.

Sir JOHN MONCKTON, Town Clerk of the City of London, called in and further examined.

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2969. (*Sir John Monckton.*) I desire, Mr. Chairman, to commence the proceedings, if I may use the expression, with a ray of sunshine, by asking the Commissioners to accept the promised index for the Statement which has been prepared.

2970. (*Chairman.*) We are very glad to receive it.

2971. (*Sir John Monckton.*) It will be found that it is lexicographical and more convenient. On the last occasion when I was here, Sir, the Commissioners expressed a desire that their then communications should be conveyed to the Court of Common Council with as little delay as possible, and I represented the facts to the Lord Mayor, who called a special Court, which was held yesterday, succeeding a meeting of the Special Committee, for the purpose of considering the resolution, and in obedience to a specific direction given to me by the Court of Common Council. I will now proceed to read *in extenso* a report agreed to in a very full Court with only one dissentient. After the usual preamble the report which was adopted by the Court was as follows, to go somewhat into detail, but it is necessary for the understanding of the whole, that the whole should be taken:—

" We do certify, that having received by the hand of the Town Clerk a communication prepared by the Royal Commissioners in reply to the Resolution passed by your Honourable Court on the 16th day of November instant, which communication is in the following words:—

" 'As regards the Resolution of the Corporation, the Commissioners would refer to the duties imposed upon them by Her Majesty to consider the proper

conditions under which the amalgamation of the City and County of London can be effected, and to make specific and practical proposals for that purpose; and in view of these instructions the Commissioners feel themselves unable to give any assurance that they would be ready to hear evidence when tendered upon the question of desirability of an amalgamation of the City and County of London.

" 'Whilst thus unable to give the assurance referred to in the Resolution, the Commissioners would observe that they have not been rigid, nor is it probable that they would be rigid in the future, in their interpretation of the limits of questions pointing to the convenient practicability of amalgamation.

" 'The Commissioners cannot conclude this communication without expressing their grave regret that the Corporation should hesitate to proceed in co-operating with them in the discharge of the duties imposed upon them, and they would still hope to receive their assistance.'

" We have fully and anxiously considered the same, and having regard to the extreme importance of the whole question, as one affecting not merely the interests of the City but of the whole metropolis, have been advised thereon, and on the position generally, by the Law Officers, together with the Chamberlain and the Town Clerk, and we have made special reference to the letter of the Town Clerk to the Secretary of the Royal Commission, written by our direction on the 30th day of May last, in the following terms:—

" 'Guildhall, E.C.,

" 'SIR, 30th May 1893.

" 'IN further reply to your communication of the 5th instant, I am directed to say that the Committee in charge of the subject-matter to which it relates are fully sensible of the courtesy of the Royal Commission, in expressing its willingness to receive any evidence, oral or documentary, the Lord Mayor and Corporation might wish to lay before it.

" 'The Corporation will be quite ready to furnish the Royal Commission with any information it may desire, and which may be within the knowledge of the Corporation's representatives, on receiving timely intimation of the wishes of the Commissioners, but it is impossible at the present stage of the pending inquiry to indicate the 'evidence' which the Corporation may deem it desirable to tender to the Commissioners, inasmuch as the Corporation is at present unaware of the extent of the inquiry, or of the views of the London County Council, who, it is understood, have been also invited to tender evidence, and at whose instance Her Majesty's Government have advised Her Majesty to issue the Commission, without any previous reference to or communication with the Corporation, the older body, and the one, therefore, in every sense most directly and materially concerned.

" 'The Corporation, with confidence, assumes that the Royal Commissioners will necessarily see the reasonableness and recognise the necessity for its being made acquainted with the general idea and scope of the proposed Amalgamation before being expected or called upon to submit its views as to such proposal.

" 'I am, therefore, respectfully to suggest, for the consideration of the Royal Commission, that the City, as represented by the Corporation, might not unfitly wait until evidence has been adduced by the London County Council (if evidence is proposed to be adduced), and be thus guided in limiting its own evidence to that which is pertinent and appropriate.

" 'This course the committee feel will both be respectful to the Royal Commission, and in every sense bring about a great saving of time and labour.

" 'I am, Sir,

" 'Your obedient servant,

" 'JOHN B. MONCKTON.

" 'To the Secretary, the Royal Commission, &c.,

" '30, Abingdon Street, Westminster, S.W.'

" and the reply thereto of the 9th day of June last in " the following terms:—

" 'Royal Commission on the Amalgamation of the City and County of London,

" '30, Abingdon Street, S.W.,

" 'SIR, 9th June 1893.

" 'I AM desired by the Chairman to acknowledge the receipt of your letter of the 30th ultimo, stating that the Corporation will be happy to afford the Commission any information within their power; but that they desire to defer indicating the evidence which they may deem it desirable to tender before the Commission until they are further acquainted with the extent of the Inquiry, and with the views of the London County Council.

" 'While thanking the Lord Mayor and Corporation for their courtesy, I am, at the same time, to request that you will inform them that in response to a letter from the Commission of the 5th ultimo, inviting them to give evidence before the Commission, the London County Council have promised to furnish them at an early date with, *inter alia*, a full statement of the Council's present position, powers, and duties over the metropolis, and of their revenue and expenditure.

" 'It would materially assist the Commission in the prosecution of their labours if they could have before them a similar statement as regards the position, powers, duties, and finance of the Corporation of the City of London, and I am accordingly to express the hope of my Commissioners, that the Lord Mayor and Corporation will, as a preliminary, favour them with such information as they may be able to given upon these subjects.

" 'I am, Sir,

" 'Your obedient servant,

To the Town Clerk, " 'G. GLEADOWE,
Guildhall, E.C. " 'Secretary.' "

I lay special stress upon the word " preliminary," because a great deal turns upon that. It has been stated that the Corporation have made a change of front by accepting a situation at the outset, which they are now desirous of retiring from.

2972. (*Chairman.*) You are not now reading?

2973. (*Sir John Monckton.*) No, Mr. Chairman, not the remarks which are being taken. Great stress now is laid upon that, because it is very strongly urged in certain quarters that the Corporation are—in fact, even a member of the Corporation himself yesterday said so; one who is not in accord entirely with the majority of that body—that the Corporation are making a change of front by accepting the situation, or apparently accepting the situation at the outset, and putting in their statement in accordance with the invitation of the Commission, and are now desirous of retiring from that position. Hence, I draw special attention, as the Corporation desires me to do, to this word " preliminary " used in the sentence that I have just now read—" That the " Lord Mayor and Corporation will, as a preliminary, " favour them with such information as they may be " able to give upon these subjects." Then the Report proceeds: " And we are of opinion that the " difficulties of the case will at the present juncture " best be met by the adoption by your Honourable " Court of this Resolution. That the Town Clerk be " instructed to lay before the Royal Commission this " our unanimous Report embodying (*inter alia*) the " following:—The Corporation can only interpret " the expression of inability of the Royal Commis- " sioners to give an assurance that they would be " ready to hear evidence, when tendered, upon the " question of the desirability of the amalgamation " of the City and County of London to be a " final ruling that in their opinion the terms of " the Commission, ambiguous as they admittedly " are, definitively settle the principle of such amalga- " mation as something already resolved upon. As " the Corporation regards such a ruling as tantamount " to a judgment in favour of amalgamation before " the Corporation has the opportunity to place before

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"the Royal Commission its views and arguments "upon so important and momentous a question, the "Corporation feels that it would be only wasting "time if it proceeded further in the tender of evidence "on the question of desirability, which the Royal "Commissioners evidently are of opinion is not at "the present time open for discussion. Although itself "powerless at the present stage to remedy such a "conclusion, which it sincerely regrets, the Corpo- "ration respectfully suggests (as a *modus vivendi* "which it is most anxious to arrive at, in order that "its desired co-operation may still be given) that it "is open to the Royal Commissioners themselves to "seek and probably find a remedy by making humble "application to Her Majesty to extend the limit of "the inquiry entrusted to them, and the Corporation "would further respectfully ask that the term "'amalgamation' may be clearly defined in the "interests of all concerned in the Inquiry. All "which we submit to the judgment of this honour- "able Court." That report, now, Mr. Chairman, seems, in the views at any rate of the Corporation, to sum up the matter as it stands. I was desired to have this lithographed, and I have done so, in order that the Commissioners may have these copies with them for more convenient reference. The only further remarks I have to make—if I may make them——

2974. (*Chairman.*) Perhaps you would tell us what action was taken upon this?

2975. (*Sir John Monckton.*) Yes, I have at the beginning, by saying—but I will repeat it—that was adopted by a very full Court, the fullest Court I think I ever saw in the Guildhall, with one dissentient. The Corporation have never objected, and do not now object, to take part in the consideration of the conditions under which a general system may be established for the municipal government of the metropolis, and to assist the Commissioners in making specific and practical propositions for the purpose. But they do object, and I say it, of course, with all due respect to this Royal Commission, and the Supreme Authority from which it emanates, to take part in what appears to them a one-sided discretion which, so far as they are concerned, simply has one alternative.

2976. (*Chairman.*) Is that the end of your remarks? Is that all you have to say?

2977. (*Sir John Monckton.*) I think that for the moment is all that I have to say.

2978. (*Chairman.*) Well, I think I may say at once that we are greatly disappointed, and regret the answer we have received. Perhaps, if you will retire for a few minutes, we will communicate to you an official reply.

2979. (*Lord Farrer.*) I want to ask you with respect to one paragraph in this paper, what the exact meaning of it is?—The paragraph is—"The "Corporation can only interpret the expression of "inability of the Royal Commissioners to give an "assurance that they would be ready to hear evi- "dence, when tendered, upon the question of the "desirability of the amalgamation of the City and "County of London to be a final ruling that in their "opinion the terms of the Commission"—now, these are the words I want to call attention to—"*am- "biguous as they admittedly are*, definitively settle the "principle of such amalgamation as something "already resolved upon." I want to ask you if you can tell us what is the meaning of these words— "ambiguous as they admittedly are"—admitted by whom?

2980. (*Sir John Monckton.*) Well, I think at the very outset the remark made, if I may respectfully say so, by the Chairman himself, to begin with——

2981. (*Lord Farrer.*) Can you point to any statement from the Commission to that effect?

2982. (*Sir John Monckton.*) Not an official statement.

2983. (*Lord Farrer.*) Or any admission of ambiguity on this particular point.

2984. (*Sir John Monckton.*) I think it is the general opinion, that is, outside. It is my personal belief, and it certainly is the belief of all those for whom I am at this moment speaking, that there was an ambiguity at the outset. I do not know whether you have got a copy of the "London Gazette" here, have you? If I had a copy of the "London Gazette"——

2985. (*Lord Farrer.*) The question I ask is not whether there is an ambiguity, but whether it has been admitted that there is an ambiguity, and by whom?

2986. (*Sir John Monckton.*) Well, by myself for one undoubtedly, and by those with whom I act.

2987. (*Lord Farrer.*) Quite so. But by anyone else?

2988. (*Sir John Monckton.*) I do again, and I do so with great respect, refer to the Chairman, who at the outset was struck with the vagueness of the Reference to the Commission.

2989. (*Lord Farrer.*) Did he ever admit that there was any ambiguity on this particular point?

2990. (*Sir John Monckton.*) On the Reference generally.

2991. (*Lord Farrer.*) No; did he ever admit that there was any ambiguity on the question whether——

2992. (*Sir John Monckton.*) No, I speak there of the terms of the Commission when I say "ambiguous as they admittedly are."

2993. (*Mr. Crawford.*) It only applies to that—the terms of the Commission.

2994. (*Lord Farrer.*) Yes; but I want to know upon what point you state they are ambiguous.

2995. (*Sir John Monckton.*) If you give me the "London Gazette"—you were about to lend it me, Mr. Crawford—I will tell you. In the first place, —I do not want to travel over the ground again— the Corporation for some time were absolutely misled by the grammatical difference in words; that is one thing.

2996. (*Lord Farrer.*) In spite of Mr. Fowler's answer to Mr. Benn in the House?

2997. (*Sir John Monckton.*) I am speaking of the correspondence as set out in the statement.

2998. (*Mr. Crawford.*) At a later period—after the answer in the House.

2999. (*Sir John Monckton.*) Very well. The very "Gazette" itself contained ambiguity in the first page of the "Gazette." The Commission then sets out certain words in the second page—this is a small matter, perhaps——

3000. (*Chairman.*) You had better read, Sir John Monckton, we are not so pressed for time.

3001. (*Sir John Monckton.*) "Whereas we have "deemed it expedient that a Commission should "forthwith issue to consider the proper conditions "under which the amalgamation of the City and the "County of London can be effected, and to make "specific and practical proposals for that purpose." On the second page I see "The Queen has been "pleased to appoint a gentleman named to be secre- "tary to the Royal Commission on the proposed "amalgamation of the City and the County of "London." One assumes one thing and one assumes another, but especially there was the correspondence that passed between Mr. Fowler and the London County Council, and between Mr. Fowler and the Lord Mayor, which absolutely exposes, on the face of it, ambiguity.

3002. (*Mr. Smith.*) But you say "The terms of the Commission" in the document, you cannot travel into the correspondence.

3003. (*Sir John Monckton.*) No; I said "the terms of the Commission" and I have referred to the terms of the Commission here.

3004. (*Lord Farrer.*) My question still remains this: do you mean by this word "admittedly" that we have, collectively or individually, as Commissioners, admitted that there is this particular ambiguity in the terms of the Commission?

3005. (*Sir John Monckton.*) No, the word is not intended to apply to this Commission.

3006. (*Lord Farrer.*) It is not intended to apply to this Commission?

3007. (*Sir John Monckton.*) No; it is intended to apply generally. It is matter of common concurrence that it is a vague and ambiguous reference.

3008. (*Lord Farrer.*) Vague and ambiguous on this particular question—whether the Commission does or does not exclude the question of desirability?

3009. (*Sir John Monckton.*) I have not said that here. I say it now—I mean to say, the document I have before me here—"the terms of the Commission, "ambiguous as they admittedly are"—I must not be fixed down to some little point in the sentence—"the terms of the Commission, ambiguous as they "admittedly are."

3010. (*Lord Farrer.*) Yes, but you will observe that this sentence loses all force unless we have regard to that particular question. It refers to the "inability of the Royal Commissioners to give an "assurance that they would be ready to hear "evidence, when tendered, upon the question of the "desirability of the amalgamation of the City and "County of London." That is the question to which this paragraph refers.

3011. (*Sir John Monckton.*) To which those words refer.

3012. (*Lord Farrer.*) And my question is this, and I put it again, in order that we may have it with perfect certainty. You do not allege that the Commissioners, or any of them, have admitted that there is any doubt upon the meaning of the Commission upon that point?

3013. (*Sir John Monckton.*) I say two things in answer to that. In the first place, the Corporation does not allege or fix these words—"ambiguous as they admittedly are"—to any single person; but I say, if the words, "ambiguous as they admittedly are" were out, the sentence would have all its force. I do not think that the words have any, or make any, difference to the allegement in the sentence.

3014. (*Mr. Smith.*) That is our idea; we are only extremely anxious, I think, that there should be no interpretation of those words that should include the Commission as expressing that opinion in any way.

3015. (*Sir John Monckton.*) There is no suggestion that it does so.

3016. (*Mr. Crawford.*) I should think the difficulty would have been met if there had been a hyphen between the word "Commission" and the word "definitively."

3017. (*Mr. Smith.*) I think it would have been better met if Sir John Monckton's suggestion had been adopted, and they had been omitted altogether.

3018. (*Sir John Monckton.*) I attach very little weight to the words, very little; it is a parenthetical expression.

3019. (*Mr. Smith.*) If we may, for a moment, compare great things with small—the City of London with the town clerk of Birmingham—I saw no ambiguity, and when I asked the consent of my Council, as I had to do, when I entered upon this inquiry, I distinctly pointed out to them that my duty was not to range over the huge inquiry, whether it was desirable or not, that the City and London County Council should be unified; that was a question for Ministers of the Crown, primarily, and for Parliament subsequently. We, as a Commission, are a body of practical men, to say whether there is any impracticability in the course proposed. I saw the point at first; I do not see why the City of London should not have been able to see it just the same.

3020. (*Mr. Crawford.*) I think it was seen: I do not think it is at all clear that the Commissioners were themselves clear upon the point. If this is to be put on the City it should be publicly known that undoubtedly there was vagueness, and it is exceedingly unfair to say that there was no vagueness.

3021. (*Mr. Smith.*) There is no vagueness as stated here in the terms of the Commission: I do not think they are ambiguous. I see no ambiguity myself.

3022. (*Mr. Crawford.*) That was not the opinion of the Chairman.

3023. (*Chairman.*) I never said anything about ambiguity.

3024. (*Mr. Crawford.*) I have your own letter—the secretary's letter. It contains an expression that undoubtedly there was vagueness.

3025. (*Chairman.*) What are the words?

3026. (*Mr. Crawford.*) The words are these:—"Mr. Courtney desires me to tell you what he "purposes to do as regards the meetings of the "Royal Commission on the amalgamation of the City "and County of London, of which he is Chairman, and "he hopes that the arrangements which he proposes "will suit your convenience. He has asked the "Local Government Board to depute a representative "to draw up a memorandum, upon which he could "afterwards be examined, setting out the existing "state of affairs in the metropolis, and indicating the "problem to be solved by the Commission more "precisely than is done in the Royal Warrant." If that does not mean vagueness, I do not know what does. To which I replied, "I was rather anticipating "a preliminary meeting of the Commissioners to be "called to discuss procedure, but I quite share the "Chairman's difficulty as to the vagueness of the "Royal Warrant, and the consequent necessity for "the preparation of an official memorandum, in-"dicating, in detail, the problem to be solved by the "Commissioners." And surely it is only fair for us to admit that we do think there should be some indication of the problem to be solved. I do not think it is just to the City to assume that there was no question of vagueness on our minds.

3027. (*Lord Farrer.*) The reference may be a very wide one, and may be uncertain in its scope without involving the particular ambiguity with which we are now concerned.

3028. (*Mr. Crawford.*) Yes; but that is not the point; I do not think it is quite reasonable or fair to put upon the town clerk, that we, the Commissioners, did not think there was any vagueness. There is not the slightest doubt of that, and Mr. Smith freely from the outset pointed out that that was the true interpretation, and he was very desirous that the question should have been raised at the outset. On the contrary, the Corporation were asked as a preliminary to send in their statement. They did so after a protest. When they put in their statement, certain questions were put to them, and of course the whole question arose. I do not think it reasonable or fair to let the City consider that we are all perfectly settled in our own minds as to it being perfectly clear. I venture to think, with all due respect, that whoever drafted this Commission has prepared it exceedingly badly. In the first place there is practically no operative part, the whole of our duties are in the recital; it is as vague as vague can be.

3029. (*Mr. Smith.*) If Mr. Crawford would do me the justice to say that I saw no ambiguity, I should be perfectly satisfied. I do not think I could have taken a seat on this Commission if I had thought that the larger question of the desirability, which afforded infinite opportunities of delay, was to be opened up.

3030. (*Chairman.*) I do not think there has been any question as to ambiguity, only regarding the problem set before us; it was an exceedingly wide one, and it was thought desirable that, by having a representative of the Local Government Board before us, we might have a clearer and narrower definition of the words. That was why that was desired.

3031. (*Mr. Crawford.*) Just so.

3032. (*Chairman.*) All that was desired. There was no kind of uncertainty as to what the work itself was to be, especially in this regard, as to the question of desirability of amalgamation.

3033. (*Lord Farrer.*) My question is answered. Sir John Monckton tells us that they do not mean by

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these words that we have, collectively or individually, admitted that there was any doubt upon this point.

3034. (*Sir John Monckton.*) I do not understand it at all to mean that anything collective has come from the Commission in that respect.

[*The room was cleared and the Commissioners deliberated. At the conclusion of their deliberations Sir John Monckton was recalled.*]

3287–8. (*Chairman.*) Our Secretary will read you, Sir John, the conclusion to which we have come.

The Secretary then read the following reply:—

"In reply to the further communications from the Corporation the Commission have in the first place to express their regret that the Corporation should still hesitate to proceed with their evidence as has been entered upon. The Commissioners agree that in view of the terms of the reference to them, it would be useless for the Corporation to proceed further in the tender of evidence on the question of desirability of amalgamation, but the Commissioners would wish it to be clearly understood that they hold themselves open to receive evidence upon the convenient practicability of amalgamation, and they do not understand the Corporation to refuse to give evidence in reference to this.

"The Commissioners, whilst desirous of securing the full co-operation of the Corporation in the pursuit of their labours, do not see their way to make such an application to Her Majesty to extend the limit of the inquiry entrusted to them, as the Corporation suggests, and they do not think that they can judiciously enter upon any attempt to define the term 'amalgamation,' the general meaning of which appears to be sufficiently clear."

The Secretary handed a copy of this reply to Sir John Monckton.

3289. (*Sir John Monckton.*) This is for me to take.

3290. (*The Secretary.*) That is a copy for you to take.

3291. (*Chairman.*) You take that answer back, of course, to the Corporation.

3292. (*Sir John Monckton.*) If you please.

3293. (*Chairman.*) Who will have to consider it at their earliest convenience. We are extremely sorry that there should be any interruption. I hope it is only an interruption in the giving of your evidence, but the labours of the Commission cannot be interrupted in consequence. We shall have to go on receiving what other evidence we can obtain, and we hope you will soon resume your place in the witness chair.

3294. (*Sir John Monckton.*) I shall lose no time in submitting this to those who instruct me.

Sir John Monckton then withdrew.

Mr. W. H. Dickinson.

Mr. W. H. DICKINSON, Deputy Chairman of the London County Council, called in and examined.

3295. (*Chairman.*) You produce this book—"Analysis of the accounts of the Corporation of "the City of London and the rating authorities "(exclusive of poor law) within the City of London "for the four years 1889, 1890, 1891, and 1892"?—Yes, the analysis of the accounts.

3296. You hand it in to us?—Yes.

3297. (*Chairman.*) Have you prepared for us some further memorandum of a short character to explain it, or not?—Yes, I have a very short preamble to it which we can let you have.

3298. Already embodied in it you mean?—No, it is not embodied in it, it is rather a long document. We thought it should be printed separately. I will hand it to the Commission. It just shortly states in an explanatory note what the principle of the analysis has been.

3299. This is a book which, without that explanatory note, we have seen for the first time. We will take some little time to look at it before we can, with any advantage, enter upon any examination of it. We propose to-morrow morning to ask your attendance and Mr. Gomme and we will examine you upon it?—You will not go into this document until to-morrow.

3300. Not until to-morrow; at 11 o'clock to-morrow morning?—Yes.

The witness withdrew.

Adjourned till to-morrow at 11 a.m.

TENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 24th November 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary.

Mr. W. H. Dickinson.
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Mr. W. H. DICKINSON, Deputy Chairman of the London County Council, re-called and further examined.

3501. (*Mr. Dickinson.*) Before asking Mr. Gomme, the Statistical Officer of the County Council, to go through this document which we handed in to you yesterday, I think, if you will allow me, I should like to state what our position with regard to that document is, and with regard to any other documents which we may have to hand in. As the Commission will remember, the London County Council was asked to provide them with as full a statement as possible of the powers, duties, expenses, and general position of the London County Council with regard to local government; and further, with any further information as regards the municipal government of London all over the Administrative County of London. In accordance with that request we have prepared and presented to the Commission these documents, which, perhaps, you will allow me just to run over. The first was a document which gave a return of the

powers and expenses of the London County Council, showing which expenses ran all over the Administrative County, and which of them stopped at the City of London.* The second was a document which showed the position and constitution, and the work of, and all particulars about the London County Council in its municipal and administrative work in London.† The third was one which was prepared for us by Mr. Kemp, showing the position as regards county government in the County of London, which, as the Commission know, is the county outside the City of London, showing the position of the Lord Lieutenant and discussing other questions relating to county government, justices of the peace, and so forth.‡

3502. (*Mr. Crawford.*) It goes a little further, does it not, Mr. Dickinson; that statement, number three, I see deals distinctly with what you call county government in the City; the greater part of it deals with that?—Yes, it does; it gives the county government in both.

3503. There is more information in regard to the City?—I am obliged to you. It is on the county government outside the City, and also on county government inside the City, so as to show in one document what is the position as regards county government over the whole Administrative County of London. Then the fourth paper was one which we had prepared, showing the work that was carried on by the vestries and other local bodies in London, and I have prepared it in the form which should show under each head of work, what is the particular duty which falls on the local bodies, and what is the particular duty which falls on the central body or any other bodies.§ That completed, so far as we were concerned, the information which we were in a position to offer to the Commission as regards the government of London. But with the exception that Mr. Crawford has pointed out, it did omit all reference to the position of government in the City of London, and of course we had hoped that the City would be able to provide you in a much more complete form with that information than we could do. But, of course, for the purpose of informing our own minds, we have for some time past been investigating the matter, both as regards its present position, and as regards any possible future development, and we have had prepared for our own information an important memorandum by Mr. John Kemp, who has been working with us upon the whole position—legal position—so far as we are able to gather it, of the respective governing bodies within the City of London — the Corporation, the Commissioners of Sewers, and others. And we have also had before us the accounts of the City and Corporation; the published accounts. Mr. Gomme, the Statistical Officer of the Council, has been for some time past formulating this document, which I handed in yesterday, and which shows, so far as he is able to gather from the published accounts, the financial position of the Corporation of the City of London. It was suggested by the secretary to the Commission the other day in a letter to the Council that the Commission would like to have this document before it to-day, and we have had it finished off so that it is in the form of a document that we can put in, and I shall ask Mr. Gomme to go through it in detail before you to-day. The explanatory note which I referred to before Mr. Gomme's statement, has not been put in at the present moment; I am only informing the Commission of its existence. Then to further complete the investigation of the question for our own information, we had prepared by Mr. Kemp statements as to what had been the recommendations of the various Royal Commissions who, like yourself, have investigated this question; and further, also, a memorandum as to the effect upon the municipal corporations of the old Municipal Corporations Act; how that Act dealt with the unreformed corporations at that time. We wrote to the corporations to ascertain what had been the effect of the Act, how it affected freemen, and so forth. We heard from Liverpool and some others, but not from very many, and upon these answers Mr. Kemp prepared that memorandum. All that information has been collected for our own purposes, but it is all available for the Commission, if it will be of any use to the Commission; and we shall be very pleased to ask Mr. Kemp to come before you and give any information he can upon the subject if the Commission desire. At the present moment, of course, to d y it is limited, as I understand, to the investigation of the accounts. Of course, our own consideration of the question has not stopped there, we have gone further into the matter, and have considered, as far as our information allowed us, the question of future legislation, and of course, we shall always be willing to give the Commission any information on that point that the Commission would like to have. I thought it was right to mention it, at this juncture, in order that the Commission might know what information we are in a position to give, and that we offer everything that we have prepared for our own information for the purpose of the Commission being able to form a judgment upon the question.

3504. (*Mr. Crawford.*) Do you mean by your latter remark that you are prepared to put before the Commissioners some scheme which has been formulated?—I do not offer any scheme in any way, but I only meant to state that we have—our Committee have—gone into those questions carefully, and if the Commission wish for our assistance in any way that we can give it, we will give it. I have mentioned exactly what our own course of procedure upon this matter has been, in order that the Commission may know what amount of information they can get from us, if it is of any use to them.

3505. Even to the extent of putting forward a scheme for the consideration of the Commissioners; do I gather that, Mr. Dickinson?—No, sir, I do not think I have offered to put forward any scheme.

3506. I understood from your last remark that you had considered that question?—That we had considered that question.

3507. With the view to probable future legislation, and that the information so gleaned by you was at the disposal of the Commissioners, would not that point to the preparation of a scheme?—We had considered that question, but our consideration of the question has been materially handicapped, seeing that we have not had the information about the City Corporation that we should have liked to have had, so I could not offer any scheme to the Commissioners, because from that very fact it must be incomplete, and it might possibly be misleading the Commission, if the Commission sees its own way to get the information.

3508. (*Chairman.*) So far as your preparation of materials has as yet gone, your statement is exhausted?—Yes, sir.

3509. (*Lord Farrer.*) Just enumerate once more those papers that you have mentioned; you are ready to put them in if the Commission wish to have them, are you not?—Yes, the latter papers.

3510. Yes, that is three memoranda by Mr. Kemp?—Yes, perhaps we had better keep them in the order in which we have got them. "A." is Mr. Kemp's memorandum on the whole question of the position of the City, historical, and legal;* "B." is the analysis which you heard about.†

3511. Before we pass from that, that memorandum was prepared without the assistance of the book which the City have lately put in?—It was prepared without the assistance of that book.

3512. (*Mr. Crawford.*) Does that differ very materially?—I think I must leave Mr. Kemp to answer that, as no doubt he has been able to correct it.

3513. (*Chairman.*) We have not got it before us?—No.

* *See* Appendix VI.
† *See* Appendix VII.
‡ *See* Appendix VIII.
§ *See* Appendix IX.

* *See* Appendix X.
† *See* Appendix XI.

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3514. (*Lord Farrer.*) That was the first?—That we call the first, because it has been the whole basis upon which our investigations have gone. Then Mr. Gomme's analysis of the accounts had to wait until the accounts to the last year were delivered, because we were unable to get them till rather late, and the third, a short synopsis of the recommendations of the various Royal Commissions on this question, merely was for our own information, as I say,* and the other is a very short paper of the actual effect of the Municipal Corporations Act—how the Municipal Corporations Act dealt with unreformed corporations.†

3515. (*Mr. Smith.*) Are not these numbered?—We call them A., B., C., and D., in the order I have mentioned.

3516. A., B., C., and D., and that does not conclude your final ideas of future developments?—No, sir.

3517. (*Lord Farrer.*) I presume that, before putting in anything containing anything like a proposal from the London County Council of a scheme, you would wish for time to consider the materials which the Corporation have put in, and, as we hope, will still put in?—Certainly I should; in fact, as I say, any scheme we can prepare must be incomplete without that assistance.

3518. (*Chairman.*) Have you anything further to add?—No, sir.

3519. (*Mr. Crawford.*) Might I ask, Mr. Chairman, that the same courtesy may be extended to the Corporation with regard to copies of this last statement; we have invariably supplied 30 copies of our documents; would the London County Council kindly furnish us with 30 copies of this analysis of the accounts?

3520. (*Chairman.*) I suppose you will have no objection?—If we knew what the position of the City was in regard to this matter we should not hesitate; of course, the book is printed, and we have copies that we can allow. I mean, if the City has withdrawn altogether——

3521. (*Mr. Crawford.*) The City has not withdrawn?—We are in rather a difficult position as to whether we should furnish it to anybody but the persons concerned. I have no objection to it if the Commission have not; they know the position of affairs better than I do. I have only seen what the account in the paper was.

3522. (*Chairman.*) They have not withdrawn, and even supposing they had withdrawn, what objection have you got to give them?—We have no objection, except furnishing it to other people.

3523. It is a mere matter of feeling?—Oh, it is not a matter of feeling in the least, sir, if you think that we should continue the same course, if there is no alteration in the position of the City.

3524. (*Mr. Crawford.*) We may expect them?—Certainly, Mr. Crawford.

The witness withdrew.

Mr. George Laurence Gomme, Statistical Officer of the London County Council, called in and examined.

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3525. (*Chairman.*) What is your position in connexion with the County Council?—I am the Statistical Officer of the Council.

3526. And you have prepared this book‡ which has been put in?—I have prepared this document for the committee of the Council which has been put in, yes.

3527. This book is founded primarily on the accounts of the Chamberlain?—Almost entirely on the published accounts of the Chamberlain of the City of London, checked here and there by the local taxation returns to the Government, which are also founded on the published accounts of the Chamberlain.

3528. Those local taxation returns are derived from the Chamberlain's reports?—Are derived from the Chamberlain's reports, I believe.

3529. So, whether directly or indirectly, all your figures come from the Chamberlain's accounts?—All my information comes from the Chamberlain's published accounts.

3530. And you do not suggest any alteration or correction of those figures?—I have found two little points which may or may not be clerical errors, but they are very small; they do not really affect the figures.

3531. They are quite unimportant?—They are quite unimportant.

3532. Your desire has been rather to rearrange the accounts than to present anything new or additional?—Yes, to rearrange the accounts from the point of view from which the committee of the County Council was considering this question.§

3533. Will you state to us exactly, first, this: what is your scheme of rearrangement?—The scheme was devised so as to show, under the heads which are given in this analysis, the expenses of the Corporation, and also to show out of what revenues those expenses were met. If we take the year 1889 as an example, on pages 2 and 3 of the analysis (not the Roman ii.).

3534. Arabic 2 and 3?—2 and 3.

3535. Yes?—We first give the revenue derived from General Estates, Gresham Estates, Bridge House Estates, and Blackfriars Bridge Estates, and so on. Then the revenue derived from interest on securities and cash balances, and then the revenue derived from dues and duties. These items are the Gross Revenue. And then deducting from those the charges for Collection and Management, Rents, Rates, and Taxes, which are permanent charges against gross revenue, this brings out the net revenue under those heads for that particular year.

3536. (*Lord Farrer.*) Would you tell us with regard to that, on what principle you have separated those particular sources of income from those which we have afterwards; the receipts from markets, for instance, on page 4?—The principle has been that these are the permanent estates of the Corporation, which primarily meet all the expenditure, and have collaterally to meet all the expenditure upon loans, and the market revenue is a remunerative undertaking, or should be a remunerative undertaking, and bears its own expenditure and also its own loans, and therefore I have classified those together under one head.

3537. And would a similar observation apply to the income from the Courts of Law?—The income from the Courts of Law has been taken to be simply receipts in aid of the expenditure for the same purposes; that is to say, where under the Mayor's Court you have an expenditure in this particular year of 9,455*l.* 5*s.* 11*d.*, of that sum 9,072*l.* 4*s.* 7*d.* has been met by receipts from fees and so on, and only 383*l.* 1*s.* 4*d.* has actually fallen on the estates of the Corporation to maintain that Court.

3538. (*Chairman.*) Is your view of the market revenue this: that after meeting the charges of administration and interest, and repayment of debt, if there is any net receipt the market duties ought to be reduced, so that it should not be a source of income?—No, I have not considered it from that point of view; that is a matter of opinion, that I have really not gone into.

3539. That is not the reason why you have separated it?—No.

3540. You have not regarded it as a source of income which ought not to be permanently productive for general purposes?—No, I have not considered it from that point of view.

* *See* Appendix V.
† *See also* Gomme, 4409. Payne, 6657, sqq.
‡ Not printed.
§ *See* Appendix XI.

3541. (*Lord Farrer.*) The difference is not simply that the one may be affected with a special trust, because that is the case with the Bridge House Estates, is it not?—That is the case with the Bridge House Estates, and that is shown in this analysis by the balance in column 19, on page 3. The balance of the Bridge House Estates is there, you will observe; 14,811*l.* 18*s.* 7*d.* is the amount, and it is not carried forward to column 20 for the general purposes of the Corporation, whereas with reference to the markets, the balance of revenue on the markets is carried forward into the corresponding column 30, as applicable to the general purposes of the Corporation.

3542. (*Mr. Crawford.*) You treat that surplus revenue as part of the property of the Corporation?—It is a part of the revenue of the Corporation, and therefore I have treated it as such.

3543. (*Chairman.*) Now will you come back to the point before us?—Then we have the net revenue from the estates of 600,839*l.* 9*s.* 9*d.* in column 6. I bring that into column 7, and set against it the charges on net revenue for various purposes. For instance, the bridges are chargeable against the Bridge House Estates; columns 8 and 9 give that; but the Holborn Valley Improvement is chargeable against the coal and wine duties; the Leadenhall Market Approach is chargeable against the general estates of the Corporation by the Act of the Corporation; the Parks and Open Spaces are chargeable against the grain duty; the Royal Exchange is chargeable against the Gresham Estates; and the Gresham College is chargeable against the Gresham Estates. Then there are various salaries and pensions in connexion with these particular estates, which are chargeable and put into column 15. That brings out a total charge against revenue of 531,610*l.* 4*s.* 10*d.* Then the balances available after deducting those charges, are brought forward in column 17, and it is separated into two in columns 19 and 20, column 19 showing the amount carried forward to next year to the particular account under which the balance arises; column 20 showing the amount carried forward for the use of the Corporation for its general purposes.

3544. And the meaning of that is, that in column 19 you consider those accounts as absolutely separate from the general accounts of the Corporation, so that their balances cannot be available for ordinary purposes, but the other accounts are available for ordinary purposes?—That is so.*

3545. (*Lord Farrer.*) Will you, before leaving this page, say what is the meaning of "Bequests" in column four in number one?—Column four is certain bequests which the Corporation pay out of their general estates, and presumably under the trusts.

3546. Under a special trust?—Under a special trust. I only know the fact that they are charged, and they are set forth more in detail in page xliv of the memorandum. That is summarised from the Corporation accounts, using the words as far as possible that occur in the accounts themselves.

3547. (*Chairman.*) Do the amounts agree?—The amounts agree if you take the General Estates and the Gresham Estates; those are the two items which make up the total; the two last ones, Miss Bathus' bequest and Admiral Duff's legacy do not appear at all in the accounts, they are quite special and reserved; but if you take the first two items, the General Estates and Gresham Estates, they come to 1,488*l.* 12*s.* 9*d.* in 1889.

3548. (*Lord Farrer.*) In what page?—On page xliv of the memorandum.

3549. (*Mr. Smith.*) Those are the incomes of the trust estates only?—No; those are the payments.

3550. (*Chairman.*) Those are certain specific charges you assume charged by the original donors on those particular estates, and they are paid in consequence?—I assume that is so.

3551. (*Mr. Smith.*) And in some cases on funds in money, I presume?—No, these are all charged; the General Estates are charged with 884*l.* 14*s.* 11*d.*, the Gresham Estates are charged with 405*l.* 11*s.*, and then there are special bequests.

3552. Admiral Duff's money?—Admiral Duff's money is not included in this account at all, it is a special account towards the end of the Chamberlain's Accounts, and I have eliminated those altogether.

3553–4. I happen to know, because he was good enough to leave 1,000*l.* to Birmingham in the same way for a scripture reader, which was very much required.

3555. (*Chairman*) Yes?—Then bringing forward that balance, 146,045*l.* 3*s.* 10*d.*, from column 20, it is entered into column 21 to be further dealt with; and then the market revenue is dealt with separately, and the charges against the market revenue for works and services, rents, rates and taxes, establishment and management, interest, repayment of debt, are deducted from the total revenue, thereby bringing out in column 27 the net revenue from markets in this particular year.*

3556. (*Lord Farrer.*) Just let me ask you a question; these markets are governed under different Acts, are they not?—They are under special Acts, yes.

3557. And the balance from one is frequently made applicable to pay anything that is wanted upon another, is it not?—Well, I would not go so far as that; Mr. Kemp would be able to explain the legal position, but they very frequently do run into each other.

3558. They run into each other?—Yes.

3559. (*Chairman.*) Is it not rather this way, that the balance of the market account, whatever it is, goes as a debit or a credit to the general account, and in that way they may balance one another?—Well, not entirely so; for instance, the Coal Market and the Deptford Cattle Market are not entered to the general account of the Corporation.

3560. (*Mr. Crawford.*) The Deptford Cattle Market has to be kept separate, under statute?—Under statute, yes.

3561. (*Lord Farrer.*) If there is a surplus from the cattle market, it goes to help one of the other markets.

3562. (*Mr. Crawford.*) Under the statute; distinctly under the statute?—When the loans are all paid off.

3563. It goes to pay off, as far as it can do, the loan upon the Islington Cattle Market.

3564. (*Lord Farrer.*) The different markets assist one another, but they do not form one fund?—They do not form one fund in the Corporation accounts.

3565. And they do not come into one account, but each has a separate account.

3566. (*Mr. Crawford.*) They are bound to have by the several statutes.

3567. (*Chairman.*) Well that brings an additional 4,834*l.* 5*s.* 6*d.*?—There is a minus balance in one account in this particular year, and that only brings forward a revenue from markets applicable to general purposes of 4,834*l.* 5*s.* 6*d.*, which being brought forward into column 31 brings the revenue up to 150,879*l.* 9*s.* 4*d.* Then the expenditure on certain permanent works that the Corporation has undertaken is given in group four, and there dealt with. For instance, the Holborn Valley Improvement.

3568. Receipts and expenditure?—Receipts and expenditure. The receipts from the Holborn Valley Improvement were 45,055*l.* 7*s.* 7*d.*, the expenditure was 43,621*l.* 4*s.* 6*d.*, then on the Clerkenwell Improvement the receipts were 9,190*l.* 9*s.* 9*d.*, and the expenditure 16*l.* 9*s.* 3*d.* On dwellings for the poor there were receipts of 5,518*l.* 0*s.* 3*d.*, and expenditure of 10,086*l.* 12*s.* 11*d.*, showing that a certain amount, namely 4,568*l.* 12*s.* 8*d.*, fell in that year upon the General Estates of the Corporation.

* *See also* Gomme, 10,683.

* *See also* Payne, 6985.

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3569. (*Lord Farrer.*) Where is that expenditure shown?—The total of column 34, "Dwellings for the Poor," 10,086*l.* 12*s.* 11*d.*, 5,518*l.* 0*s.* 3*d.* of which was met by receipts from the dwellings for the poor, and the balance fell on the General Estates of the Corporation. Then in parks and open spaces the total expenditure was 3,227*l.* 13*s.* 9*d.*, of which 1,522*l.* 16*s.* 11*d.* was met by receipts from parks and open spaces, namely, 1,933*l.* 1*s.* 6*d.*, and some of that, being trust property for recreation grounds, was carried forward as a balance to the next year, leaving 1,704*l.* 16*s.* 10*d.* to be taken out of the general estates of the Corporation of that year for parks. Then the balances are brought into column 37—and adopting the same plan as in previous sections, namely, to divide them into two—one where the balances are carried forward to the account of next year, and not used by the Corporation, and the other, column 40, where the balances are applied to the general purposes of the Corporation.

3570. (*Chairman.*) These balances which are carried forward and kept separate for that coming year were corresponding sums, I presume, included in the accounts you started with in the beginning of the year?—No, they are the exact balances resulting from the operations of the year; they do not include the balance from the previous year.

3571. You do not start from any balance in hand?—I start from no balance; I simply say, for instance, the Holborn Valley Improvement account has increased its balance by the transactions in that particular year by 1,434*l.* 3*s.* 1*d.* Then, those figures being brought forward, the next class we deal with is that of justice and police; and each heading in this class is dealt with in the same way, showing how much of the expenses is met by fees from the different courts, and how much of the expenses falls upon the general estates of the Corporation. The Mayor's court for instance; the total expenditure was 9,455*l.* 5*s.* 11*d.*, of which 9,072*l.* 4*s.* 7*d.* was met by receipts, and the balance, 383*l.* 1*s.* 4*d.*, fell upon the general estates. Criminal justice fell wholly upon the general estates. The City of London Court is an account kept separate by the Corporation with its own balance, and the receipts were 14,916*l.* 18*s.* 10*d.*, and the expenditure 14,673*l.* 5*s.* 2*d.*; for the Borough Court of Southwark there are few expenses—special expenses met wholly out of the General Estates; the expenses of the sheriffs are met wholly out of the General Estates; the expenses of the coroner are met wholly out of the General Estates; so are those of the police; certain expenses for magistracy are met partly out of fees received by the magistrates, amounting this year to 2,151*l.*, and the balance fell upon the General Estates of the Corporation. Then the balances arrived at after taking count of these expenses are dealt with in the same way as before, the particular balance of the City of London Court being carried forward to the credit of that account in column 53, and the balances applied to the general purposes of the Corporation being set out in column 54, it being noted that 600*l.* was withdrawn from the invested balances of the City of London Court by the Corporation, and applied to their general purposes in that year.*

3572. Do you know why that was; the City apparently more than paid its expenses that year?—I do not know why it was; they simply did it.

3573. (*Lord Farrer.*) The City of London is bound by no such rules as there are in the Municipal Corporations Act with regard to keeping the capital account distinct, or preventing capital from being drawn upon?—I believe not.

3574. (*Chairman.*) Well, the result of that is to leave an applicable balance of 105,000*l.* in round figures?—That is the result. Then Administrative Purposes are dealt with in a group by themselves, under the heads of "Weights and Measures," "Lunatics," "Reformatories," "Port of London and Local Marine Board," "Petroleum," "General Establishment Expenses," and "Pensions to Officers." And where under each of these heads there is any amount met by the fees, that is so accounted for, as, for instance, for Weights and Measures, 194*l.* 2*s.* 6*d.* was received in fees and only 11*l.* 11*s.* fell upon the Corporation Estates. For Lunatics, 455*l.* 16*s.* was received, the balance falling upon the General Estates. Reformatories wholly fell on the General Estates. The Port of London and Local Marine Board, all but a few fees, amounting to 26*l.* 10*s.*, fell upon the General Estates. Petroleum wholly fell upon the General Estates, and the General Establishment Expenses almost wholly fell upon the General Estates and interest on securities and cash balances. That amount is explained by the fact that the Chamberlain's expenses practically come out of interest on securities.

3575. The expenses of his office?—The expenses of his office.

3576. That is an historical circumstance; the office was formerly gratuitous, so far as salary was concerned, and he made his income out of the interest on balances?—That is so. The pensions to Officers fell wholly on the General Estates, making a total expenditure under the heading we are now dealing with of 46,293*l.* 18*s.* 9*d.*, and leaving a balance of revenue at this stage applied to further General Purposes of 59,476*l.* 7*s.* 9*d.* Then under Group VII. I have classified the expenses for Mayoralty and Civic Purposes. I bring forward the revenue from column 67 into column 68, and there being no receipts in this class, it being all expenditure, I charge the expenditure against the revenue from General Estates, thereby reducing the balance to 17,937*l.* 18*s.* 10*d.*, and, the other balances remaining the same, the total balance, after deducting these charges, then become 29,486*l.* 10*s.* 4*d.*

3577. Something like 30,000*l.* being the cost of the Mayoralty and Civic Purposes?—About 30,000*l.* Then in Group VIII. I have used the term "Optional Purposes"* to interpret the remaining charges, bringing forward the old balance of 29,486*l.* 10*s.* 4*d.*, and then dealing with the Library, Museum, and Art Gallery, including the Monument—the fees of that going to repay the expenditure upon it—then the Schools; the fees of the Schools being 38,899*l.* 14*s.* 9*d.*, and the total expenditure 50,985*l.* 9*s.* 5*d.*, leaves 10,640*l.* 18*s.* 8*d.* on the General Estates; at this point the revenues from the General Estates are exhausted, and the balance of charge for Schools is, therefore, charged on the next source of revenue, viz., "Interest." The Pensions of School Officers is the next charge upon the Interest; the expenditure for Almshouses is the next charge, and other sundry Donations, amounting altogether to 7,024*l.* 5*s.*, exhausting the total revenue applied to General Purposes within 641*l.* 16*s.* 6*d.*, as set out in the last column.

3578. That sum which was drawn from the City of London Court, 600*l.*, seems to have gone in part payment of certain donations?—The explanation of that is simple; I have put it against that because the previous item is exhausted at that stage, and I have taken the City of London Court as the next chargeable item and Markets as the last.†

3579. But the previous item is not quite exhausted, you still have 663*l.* 19*s.* 6*d.*?—Yes, because 663*l.* 19*s.* 6*d.* is an amount that was increased in the Reserve Fund. They increased their Reserve Fund by that amount in this particular year instead of applying it to General Purposes.

3580. (*Lord Farrer.*) That leaves a surplus on the whole account?—That leaves a surplus on the whole account for 1889 of 641*l.* 16*s.* 6*d.*

3581. (*Mr. Smith.*) But for that 600*l.* of course it would only have been 41*l.*?—It would only have been 41*l.*, yes.

3582. (*Lord Farrer.*) But the 600*l.*; do you treat that as revenue?—I treat that as revenue; yes.

* *See also* Payne, 6985.

* *See* Payne, 6712, sqq.

† *See* Payne, 6985.

3583. What is the exact source from which it comes?—It is from the City of London Court fees. I have dealt with that in the Memorandum.

3584. Does it come out of the City of London Court fees for the year?—No, the Corporation invest the balances arising out of the City of London Court, and that balance is available for them to draw upon as they require it.

3585. In a subsequent year?—In any year, I take it.

3586. So that is revenue?—Yes, being drawn from their invested balances I treat it as revenue.

3587. (*Mr. Crawford.*) You will find that explained on page vi?—I have explained it fully on page vi.

3588. (*Chairman.*) It is a small account apparently from which the General Purposes money is occasionally drawn and repaid?—Yes, that seems to be so.

3589. And in four years there has been an excess repaid in the way of investments of 5,000*l.*?—That is so; yes.

3590. That concludes that part of the analysis?—That concludes that year; and the same principle is adopted in all the succeeding years, although, of course, the figures work out differently.

3591. And then do you bring together the results?

3592. (*Lord Farrer.*) Just before you go to that, what are the results as regards surplus or deficiency in each of the succeeding years?

3593. (*Chairman.*) That is what I was going to say. Do you bring together the result of your investigations on the four years?—On page ii.

3594. Apparently on page ii?—In 1889 there was a surplus balance of 641*l.* 16*s.* 6*d.*, which we have just now dealt with. In 1890 there was a deficit balance of 19,599*l.* 14*s.*; in 1891 a deficit balance of 33,574*l.* 7*s.* 6*d.*; and in 1892 there was a deficit balance of 21,469*l.* 14*s.* 5*d.*; making a total deficit in the four years, or a net deficit rather, of 74,001*l.* 19*s.* 5*d.**

3595. If you put the minus sign before that it would be better?—Or perhaps the words "net deficit" would be better.

3596. You go on to say how these deficits are provided for, I think?—I go on to show, as far as the accounts show it, how this 74,002*l.* was met, namely, by a reduction of cash balances from 46,137*l.* 5*s.* 4*d.* at the beginning, to 7,930*l.* 6*s.* 1*d.* at the end of 1892, showing a total reduction of 38,206*l.* 19*s.* 3*d.* on account of balances. Then come transfers from the Reserve Fund of 28,821*l.* 10*s.* 1*d.*, those transfers being sales of property and not interest, and then sales of property which are received into the General Estates of the Corporation Account of 6,984*l.* 15*s.* 3*d.*† Then there is a slight—I will not say error—but at all events a slight amount which I have not been quite able to understand.

3597. It is a discrepancy?—It is a little discrepancy that I could not quite agree.

3598. You do not at this stage make any investigation of the causes of the change from surplus to deficiency?—Not at that particular stage; at a little later stage, when I compare the three years together, viz., on page viii. I just show you then———

3599. We will come to that in its place?—I am concerned, in the first instance, with showing in each year how the particular surplus or deficit is arrived at. The first total shows how the 641*l.* 16*s.* 6*d.* appears in the accounts, giving the balances at the beginning of the year and the balances at the end.

3600. Then the negative 19,599*l.* 14*s.* in the next year?—Yes, the 19,599*l.* 14*s.* is in the next year. Bringing forward the 46,779*l.* 1*s.* 10*d.*, and adding to it what they had from sale of property and from the reserve fund, makes the balance at the beginning 59,154*l.* 1*s.* 10*d.*, the balance at the end being 39,554*l.* 7*s.* 10*d.*; you get your minus balance in the third column.

3601. Now there is a point which seems to require explanation, but I daresay it can be explained pretty easily. One would naturally suppose the balance at the end of one year would be the same as the balance at the beginning of the next, but that does not seem to be always the case?—Yes.

3602. That is not so in any of these items; it is in some, but not in all of them?—That is explained in the paragraph preceding. They wind up with a balance of 46,779*l.* 1*s.* 10*d.* Then to that is added sales of property which is not revenue, amounting to 3,375*l.* and 9,000*l.* transferred from the reserve funds—not from a revenue source—making 12,375*l.* If that be added to the 46,779*l.* 1*s.* 10*d.*, they start off with 59,154*l.* 1*s.* 10*d.*, instead of 46,779*l.* 1*s.* 10*d.*

3603. So that if those sums which did not arise from revenue but from sale of capital had not been included, the deficiency at the end of the year would have been 37,000*l.*?—No, the deficiency for that particular year would always have been the 19,000*l.*, because I kept the working of each year separate.

3604. (*Lord Farrer.*) But the balance of 59,154*l.* 1*s.* 10*d.* would have been so much the less?—Would have been so much the less, yes; and the total decrease at the end of 1890 would, as the Chairman says, have been 12,375*l.* more; but it would not have been the particular decrease of that particular year.

3605. (*Chairman.*) I do not quite follow that at present; I do not know whether the other Commissioners do.

3606. (*Lord Farrer.*) In which year did these sales take place; in 1889?—In 1889; yes.

3607. (*Chairman.*) These are revenue balances, and then you take these other sums of capital receipts in 1889 before starting with 1890: you add to those sums all revenue balances?—Yes, that is so, because they started with that amount of cash in hand.

3608. (*Mr. Crawford.*) I do not quite understand what sales you are referring to; you say "sales of property." I have not been able to trace it?—Sale of premises, Smithfield, it is entered in the accounts as.

3609. Smithfield?—Yes. I will give it to you in a moment; page 80 of the Chamberlain's accounts.

3610. The 1889 accounts, is it?—Yes, page 80 Sale of premises to B. Taberer and others, 3,375*l.*

3611. Thank you very much. Why I asked you at this stage was, because I was looking at your summary last night. For four years you bring out a total of 6,454*l.* 18*s.* 3*d.* I was trying to make it up, and I could not quite make up your figures. That is why I asked at this stage. In your summary I found a total of 6,454*l.* 18*s.* 3*d.* I could not arrive at that?—That is more than one year.

3612. I know, I wanted to know how you arrived at it?—That is why.

3613. (*Mr. Smith.*) Before you leave the balance, might I just ask this: These are balances on the working of each particular year?—Of each particular year.

3614. And each would in an ordinary borough have to be made to come out of the rate?—I presume that would be so if the borough fund be insufficient.

3615. If the borough fund be insufficient you have to make it up by way of borough rate?—Yes.

3616. And it would have involved apparently a rate of about 1½*d.* in the £ in 1890, and 2*d.* in the £, I calculate, in 1891?—On the 4,000,000*l.* rental.

3617. And 1½*d.* in 1892?

3618. (*Mr. Crawford.*) Upon what assessment do you take that?

3619. (*Mr. Smith.*) I was taking it at 4,000,000*l.* It is in evidence, I think, that your 1*d.* rate produces in the City 18,000*l.*

3620. (*Mr. Crawford.*) I think that does appear somewhere.

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* *See also* Payne, 6712, sqq.

† *See also* Payne, 6738, sqq.

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3621. (*Mr. Smith.*) I am taking it broadly?—Yes, it is about 18,000*l.*

3622. (*Chairman.*) Then you go on with 1891, how that was met?—I show how 1891 has been met in the same way by first of all setting out the balances with which they commenced the beginning of the year for the several revenue accounts.

3623. In that case they are practically the same; to the end of last year there is a slight difference only?—There is a slight difference only. And then in 1892 the same process is gone through, showing the balance that they began with and the balance at the end bringing out the net deficit again.

3624. (*Lord Farrer.*) In 1891 there was another transfer from capital?—There was another transfer from the Reserve Fund, yes.

3625. From the Reserve Fund?—Yes, there was a transfer of 10,000*l.*; but the whole of the transfer was not capital; only 9,821*l.* 10*s.* 1*d.* was from sale of property, the rest was from ordinary revenue, like interest, and so I have treated it as such.

3626. (*Chairman.*) There is an exact 10,000*l.* transferred?—Yes.

3627. But 9,821*l.* 10*s.* 1*d.* was derived from the sale of property?—Was derived from the sale of investments or property.

3628. From the sale of investments?—Investments or property.

3629. Then in 1892?—Then in 1892 I bring forward the balance at the beginning of the year and the balance at the end, showing a minus balance at the end; taking only revenue, showing a net decrease of 17,959*l.* 19*s.* 2*d.* Then I just shortly note how that was increased, so as to give them the cash balance with which they began the now current year. That was done by sale of property in the Reserve Fund amounting to 10,100*l.*, of which 10,000*l.* was transferred to the General Estates, and 100*l.* left in the Reserve Fund balance. This left the Corporation with a balance of 7,830*l.* 6*s.* 1*d.* in hand for current purposes at the end of 1892.

3630. (*Lord Farrer.*) In the accounts for 1892 is there any sale of property, or diminution of the Reserve Fund?—Yes, there is a sale of property amounting to 3,509*l.* 15*s.* 3*d.*

3631. That was in 1892, was it, that the sale of property took place?—That was in 1892, yes.

3632. (*Chairman.*) That would not appear in this account?—No.

3633. That would go for the next one?—That would go for the next one.

3634. Then you give us another table. Will you explain that?—Yes. On page v I give a table showing the net amounts which fall upon the General Estates and Funds of the Corporation. I first of all set out the General Estates and Funds, under the heads of Rents, Bequests, and Interest, and then tabulate the heads of the charges which fall upon those receipts. The receipts-in-aid in each case that we have dealt with in the analysis being deducted, and only the amounts entered there which fall upon the General Estates. That shows that the General Estates and Funds in no year met the entire expenditure; and then it shows in what way the deficit was made good. It practically summarises the previous pages.

3635. There was a deficiency in 1889 of 4,000*l.*; it went on to 33,000*l.*, 49,000*l.*, and 32,000*l.*?—32,000*l.*, yes.

3636. And those were met?—By market profits,—

3637. (*Lord Farrer.*) The market profits may be considered as revenue of the year of the Corporation?—Oh, they belong to the revenue of the year, undoubtedly.

3638. (*Chairman.*) And in 1889 pretty nearly balance themselves?—In 1889 pretty nearly balance themselves.

3639. (*Lord Farrer.*) That is properly revenue, I suppose?—That is properly revenue.

3640. (*Chairman.*) It was not derived from the revenue of the year, that 690*l.*?—No, it was not; but they could have derived it from the revenue of that year.

3641. It had been made?—Because the revenue from the City of London Court was more than 600*l.* It was simply their method of doing it, simply drawing from investments rather than from the actual balance in hand.

3642. (*Lord Farrer.*) But the profits upon balances of previous years from sales of property and transfers from the Reserve Fund, those are distinctly taken from capital?—Those are. Well, the balance of the previous years would probably not be capital. That we do not know; the bulk of that would be revenue.

3643. It is not the revenue of the year?—It is not the revenue of the year.

3644. (*Chairman.*) I think you have a little overstated it in saying that the City of London Court could have stood it on that year. Look at page 6?—In that particular year, yes, that is so. In that particular year they did not have sufficient, but then in that particular year they had a very heavy expenditure for erecting a new court, which is noted in Note (*c*) on page 6; that is the balance of erecting a new court, so that their revenue was deficient on that account in that particular year.

3645. That note (*c*) ought not to have gone with that, ought it?—It ought to have gone, I suppose to the 14,673*l.* I see, that is it. Is there not another (*c*) out here after the 600*l.*?—That is on page 7. I have made my notes for different pages, but in other years the City of London Court has a substantial balance.

3646. Next year it was drawn upon to the extent of 4,000*l.*?—Yes, they drew 4,100*l.* in the next year, only 100*l.* in 1891, and 500*l.* in 1892. Then on page v, if I am to go on?

3647. Yes, please?—I deal there with the special items of expenditure of account, because it happens that in these years there are special expenditures—expenditures that might be considered as special, and I divide those into two heads—investments, and exceptional expenditure out of the General Estates and funds. The investments are set out in the Table on page v, and then I give the details of those and the references to the page of the accounts where I get the information from.

3648. The investments; now would you explain what these are?—The investments out of the General Estates and funds of 12,923*l.* 0*s.* 5*d.*, in 1890, was on account of the commutation of renewing fines for leases, and they are made applicable by the City to the Grain Duty Loans Account, they transfer them to the Grain Duty Sinking Fund account each year, and invest that money for the purpose of paying off the loans borrowed on the credit of the Grain Duty.*

3649. They create a sinking fund, do they?—So that it really is a sinking fund.

3650. They are not buying up their bonds?—They are creating a sinking fund.

3651. (*Mr. Crawford.*) To meet bonds for renewal?—For instance, in 1890 they invest 12,923*l.* 0*s.* 5*d.*, in 1891, 8,695*l.* 9*s.* 10*d.*, and then in 1892 there is a minus before the figure; that is where they actually paid off that amount of money from the previous investments—loans falling due on the grain duty. And then I have also treated as an investment—although I am not quite sure whether it is right to do so—the purchase of property, where they purchase property, as they did in 1891, for instance, at Shiplake, Lock Island, and Walton-on-Hill. I have considered that as an investment, although it may be that it is a necessary transaction for the year. But still, as it is entered in the accounts as a purchase of property, I considered that just as much capital as, on the other hand, I have considered the sale of property to be capital and not revenue.†

3652. You do not know what the special purpose of this purchase at Shiplake Lock was?—I do not

* *See also* Payne, 6985.

† *See also* Gomme, 6159-60.

know anything about it, except that it was a purchase of property.

3653. It was to secure the island from being built upon. It had been used for the purpose of campers out. It was going to be built upon, and application was made to the Corporation to preserve it for the benefit of the people.

3654. (*Lord Farrer.*) It is an open space where boating parties camp?—It is an open space.

3655. (*Chairman.*) It would be a part of the expenditure of that year really?—It would be a part of the expenditure of that year really.

3656. Exactly?—Yes.

3657. (*Lord Farrer.*) And it will be an open space permanently belonging to the City?—Yes, for ever.

3658. (*Mr. Crawford.*) For ever?—It must be continued so.

3659. (*Chairman.*) Whether it was that year or not would depend upon the way in which they treated their accounts—whether it was paid off in a few years or not?—That would be so; though it would take it out of the category of an ordinary investment if it is expenditure upon an open space.

3660. (*Mr. Crawford.*) The property at Walton-on-the-Hill was purchased in order to give the City a *locus standi* in connexion with the preservation of Banstead Downs; because in connexion with this property there were certain rights of common, and these gave them authority to interfere.

3661. (*Chairman.*) In neither case would it be a remunerative investment?—Except Walton-on-the-Hill, I suppose.

3662. (*Mr. Crawford.*) Well, Walton-on-the-Hill, I can only say that recently——

3663. (*Chairman.*) Great results may be got from it?

3664. (*Mr. Crawford.*) The last thing I know is that the tenant applied, on account of the sad agricultural state of the country, that he might be let off the quarter's rent. I do not think we are likely to get a profit by it.

3665. (*Mr. Smith.*) It might almost have gone into your parliamentary expenses. It was simply to obtain a *locus*?—Of course, I have only taken the information as it appeared in the accounts.

3666. (*Mr. Crawford.*) You will find it set out in the Blue Book, Mr. Gomme?—Well, I believe I did notice it there afterwards. That would not be an actual beneficial purchase by the Corporation.

3667. I am afraid anything but beneficial?—I have understood that would not be so. Still, it was entered in as purchase of property, and therefore I entered it in in that way.

3668. (*Lord Farrer.*) These would be purchases which would be treated as capital in the accounts of the London County Council?—They would probably be so, yes.

3669. And paid for out of borrowed money?—And paid for out of borrowed money.

3670. (*Chairman.*) I am not sure.

3671–2. (*Mr. Smith.*) You would get a very short loan for it, Lord Farrer.

3673. (*Chairman.*) Go on, Mr. Gomme?—Anything more on page v?

3674. I do not think there is anything that I wish there.

3675. (*Lord Farrer.*) The sinking fund upon the grain duty, is that a fund formed with a view to the termination of the duty, and of paying off any debts that are charged upon it?—No, that is for the payment of all the loans borrowed on the security of the grain duty.

3676. There was a loan borrowed upon it for the purpose of Open Spaces?—For the purpose of Open Spaces.

3677. And the grain duty comes to an end in 1902.—In 1902 the grain duty comes to an end, and this provides for paying off loans secured upon it.

3678. (*Mr. Crawford.*) It is wholly applicable to the purchase of Open Spaces?—I believe so; Yes. Then I take the Gresham Estate. There was a small investment there in one year only, and in that particular year, 1892, the Gresham Estate did not happen to pay off any loan, so that I presume that that investment is for the purpose of a sinking fund.

3679. (*Chairman.*) There is a debt on the Gresham Estates?—A debt on the Gresham Estates, and in all other years there is an amount paid off of that debt, but in 1892 there is an investment of 4,091*l.* 16*s.* 5*d.*, so I assume that is for the purpose of a sinking fund.

3680. (*Mr. Crawford.*) And you find that treated as a trust—the Gresham?—Oh, yes; quite so; that is so. Then, on the Bridge House Estates there was a small investment, and there was a small purchase. Inasmuch as the Bridge House Estates is another trust account, I have assumed they have increased the value of the estates by the same amount, and have left them as capital. Then the grain duty I have already explained; and the Holborn Valley improvement investments are simply investments of balances or investments of revenue from various sources for the purpose of paying off the loans on the Holborn Valley. Those investments do not affect in any way the General Estates of the Corporation. Then I note the investment of funds in the City of London Court, to which attention has already been drawn, and point out that, in each year, there was a small sale of these investments, which was added to the revenue of the year; and during the same period there was a total of 10,151*l.* which was invested on account of the Court, leaving a net addition to the investments of the City of London Court of 4,851*l.*

3681. (*Chairman.*) The fees of the City of London Court are the same as those in any county court, are they not?—I believe that is so; I do not know whether the fees are on the same scale; but the City of London Court is a county court.

3682. And you do not know whether the fees would be changed in the ordinary course by Parliament if Parliament were to change the fees of the County Court?—It is under a special Act, and I do not quite know how far the County Courts Acts apply to the City of London Court.

3683. (*Mr. Crawford.*) As a matter of fact, you may take it that the same rules do apply, and the scale of fees also?—Yes.

3684. Speaking comparatively, the fees are very high; that is why they go to the Mayor's Court?—Then I summarise the investments in the last paragraph, which is pointing out shortly the net result of the previous two pages description.

3685. (*Lord Farrer.*) This is exceptional expenditure?—Then I take the exceptional expenditure for the purpose of showing that the balances which are deficit in the four years have to some extent been caused by what might be called exceptional expenditure, although, of course, in other years there might be the same kind of exceptional expenditure going on, I do not quite know that; but I have taken, for instance, the drainage works at the Mansion House as exceptional expenditure in 1889; I have taken the erection of new offices at the Guildhall, of 6,000*l.*, in 1892, as being special. Then there are certain alterations to the Council Chamber, which are really the balances, I take it, that have been paid off a previous very heavy account, and I take those to be exceptional. Then there are works at schools which are of the nature of capital, I consider those exceptional. Then for the purchase of parks there is a certain purchase of land and improvements which I give in footnotes on the pages referred to there that I have considered exceptional. Billingsgate Buildings, there was a very heavy expenditure, in 1890, of 14,000*l.* odd, which was in the nature of a capital charge, and that I have considered exceptional. Then the erection of the new offices in the Mayor's Court I have considered exceptional; and then such of the investments as were met out of the General Estates, not for the purpose of a sinking fund, I have considered exceptional, making a total, in 1889, of

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16,790*l.*; in 1890, of 21,425*l.*; in 1891, of 13,498*l.*; and in 1892, of 12,957*l.**

3686. Billingsgate Buildings are connected with the market, I suppose, are they?—Dwelling-houses for the poor, I think, Billingsgate Buildings are.

3687. (*Mr. Crawford.*) No, offices, &c. for persons connected with the market?—Connected with the market.

3688. But unfortunately they have proved anything but remunerative. They are not part of the market, but used for the purposes of the market. But they have not been the success which was anticipated?—That expenditure is of the nature of capital; what one might call the capital expenditure.

3689. (*Chairman.*) Taking that as an average of 16,000*l.* or 17,000*l.* a year, you have no reason to suppose that that exceeds or is less than the average of what would be called the average of such expenditure over a long period of years?—No; I have no reason to suppose that. If there was not this exceptional expenditure there might be others of the same sort.

3690. And if they were not charged in this way to current account there might be a corresponding charge for interest?—Yes.

3691. (*Lord Farrer.*) These are charges which, speaking quite generally, in the London County Council would be treated as charges to capital account, would they not?—I think they would be so, speaking generally. Then, I note on page vii, the charges on the General Estates in respect of debts for which the estates were collateral security, say, in cases outside the ordinary work of the Corporation, like, for instance, the Leadenhall Market Approach, for which the estates were first security; in 1889 the Leadenhall Market Approach was charged with 5,208*l.*, and slightly less in 1892, consequent on a reduction of interest. Then the Holborn Valley improvement. The Coal and Wine Duties ceasing in 1889, a certain amount of the debt for the Holborn Valley improvement was charged upon the General Estates amounting to 20,000*l.* in 1890, 19,000*l.* in 1891, and 17,000*l.* in 1892.

3692. (*Chairman.*) That will go on decreasing?—That will probably go on decreasing.

3693. The balance being in process of reduction?—The balance being in process of reduction.

3694. (*Mr. Crawford.*) You have found by your investigation that by the cessation of the Coal and Wine Dues the Corporation was landed in considerable debt?—I believe that is so.

3695. 75,000*l.*?—I have gone into it in detail later on. It is a considerable sum, over 60,000*l.* Then the investments of the Grain Duty I have already treated of were sinking fund investments, and not property investments.

3696. (*Lord Farrer.*) All those are in the nature of capital payments too?—Well, paying off loans. Then, on pages viii and ix, just for the purpose of comparison of three deficit years with one surplus year, I have taken out, under each heading, the receipts and expenditure, and shown how the three deficit years gain or lose as compared with the surplus year. You take, for instance, the first item: rents from general properties, there was an increase of receipts as between 1889 and 1890 of 15,000*l.*, and there was a decrease on the cost of collection and management, and that made a total benefit on the year 1890 of 19,000*l.* Then in the next year there was a decrease of rents, and there was a decrease also of collection and management. If you deduct one from the other, the decrease of rents from the decrease of expenditure, it makes a benefit to 1891 as compared with 1889 of 4,000*l.* Then in 1892 there is the same corresponding process; so that under each heading you will be able to see in what way these three subsequent years compare favourably or unfavourably with the year 1889.†

3697. (*Chairman.*) These are all additions to and subtractions from the former figures?—That is all. Yes.

3698. (*Mr. Crawford.*) I see there is a large deficit in the Mayor's Court in 1890, 12,918*l.* 18*s.* 5*d.*?—That is so. It is made up by the reduction of receipts and the increase of the payments in that particular year.

3699. (*Lord Farrer.*) Is there any general statement in the Corporation's own accounts which gives you the balance as a whole?—No; the Corporation accounts treat, in what they call the City's cash, the whole items together, and there is no separation of the individual items except for the purpose of accounting.

3700. In the separate accounts?—There are no separate accounts.

3701. Is there any general balance-sheet?—There is a general balance-sheet of the assets and liabilities, but that is not complete; it does not give the whole information, I think.

3702. It does not give the whole?—No, for the purposes which are set forth in the note they do not state the whole assets.

3703. Is there any statement in the Corporation's accounts from which one can say what are the whole of their assets and the whole of their liabilities, including all the subordinate accounts?—No, there is not.*

3704. There is not?—No, I should say not; no.

3705. (*Chairman.*) Then you proceed to give us principal items which account for these differences?—Then I have selected one or two items just to show shortly where the differences are accountable.

3706. (*Mr. Crawford.*) Mr. Gomme, I do not understand you to say that the accounts do not show the total liabilities of the Corporation?—Oh, no.

3707. But I gather that they do not show the assets?—They do not show the assets.

3708. But I think they show pretty clearly the liabilities?—Of course I am not in a position to judge that. I assume they do. I have no reasons to suppose that they do not; but they do not show the assets.

3709. The accounts themselves are pretty full, are they not, Mr. Gomme?—Oh, very; I know that to my cost.

3710. (*Lord Farrer.*) Is there any general account in the table of accounts of the Corporation that shows what you have shown here for each separate year—the balance of income and expenditure—the aggregate balances of income and expenditure, and the deficit or surplus?—No.

3711. There is no such thing?—No; because they include sales of property, for instance, and other capital receipts and expenditure, in one account, in the City's cash account.

3712. (*Mr. Crawford.*) That is to say, you have worked out the accounts according to your own theory and method, and they are worked out here by the City in a rather different manner?—Quite so.

3713. (*Chairman.*) It is a case of rearrangement. Now you proceed to take some view of the capital really, on page xii?—On page xii, then, I deal more in detail with some old heads, and I set out the sources of revenue from the general estates of the Corporation, using the words as far as possible as they appear in the accounts of the Corporation. That is the whole of the detail that the Corporation give as to their property.

3714. (*Mr. Crawford.*) Why do you omit the receipts from the Mayor's Court and the school fees?—Because the receipts from the Mayor's Court I have taken to be receipts in aid of the expenditure of the Mayor's Court.† In this I am dealing now entirely with only the rent account.

3715. Simply the rent account?—Yes.

* *See also* Payne, 6791–6802.
† *See also* Gomme, 4413–32.

* *See also* Payne, 6932–75, 7060–70.
† *See also* Payne, 6985.

3716. (*Chairman.*) And you have very little information as to what property those rents are derived from?—Only the information that is given in page xii. The information is duly separated as between the City of London and the outlying counties and Ireland.

3717. Rents and fines are all carried into the year's income?—All carried into the year's income, yes; and even a deposit on building agreements which you will see entered in 1890 as 3,000*l.*, and as minus in the two succeeding years is entered under revenue.

3718. (*Mr. Crawford.*) Probably this return—the 2,000*l.* and the 1,000*l.*—is the return of the 3,000*l.*? I believe that is so.

3719. That is to say, the money kept in hand for a certain period during construction, and then returned?—And then returned.

3720. (*Chairman.*) The only observation is, that it is put into income?—It is put into income, and is a slight disturbing cause, but I do not think it was so sufficiently to make any alteration in regard to that.

3721. Have you any knowledge of the principles upon which the Corporation grants leases or levies fines?—I have no knowledge at all. I know that in 1837 evidence was given before the Commission as to where the Corporation property was situated, in the second paragraph of that section.

3722. What is meant by commutation of fines?—Well, I hardly know,—it is entered in the City accounts as that,—unless it is that the rentholder commutes his fine for a capital sum.

3723. (*Lord Farrer.*) They seem to vary much from year to year?—Yes.

3724. (*Chairman.*) There was a very large sum realised in 1890, 10,000*l.*?—In 1890, yes.

3725. Commutation of fines in 1892, 400*l.* It varies?—That was applied to the Grain Duty Sinking Fund, as I have already noted.

3726. It was applied towards capital account?—It was applied towards the repayment of debt; yes.

3727. Although both items of receipt and expenditure are put into the ordinary income account?—Are put into the ordinary income account.

3728. (*Mr. Smith.*) In the same year there is a premium on granting a lease put into income?—That is put into the income account; not being an important item I left it there.

3729. (*Chairman.*) Well, the result appears to be probably a rental income of 160,000*l.* a year?—A rental income of about 160,000*l.* a year.

3730. (*Lord Farrer.*) On the whole, that is an increasing income, is it not? These particular years do not show it, but it is a considerably increasing income?—Yes. On page 40 I note that fact. It is, no doubt, an increasing income.

3731. (*Chairman.*) Page 40?—On page 40 I have extracted from the accounts showing how the rents have gone up from period to period, from 1869 to 1892. In 1869 there was 75,000*l.*; in 1892 there was 163,000*l.*

3732. (*Mr. Crawford.*) The two last columns are trust accounts?—The two last are trust accounts; yes.

3733. (*Chairman.*) Then your next table?—My next table, on page xiii, is simply for the purpose of showing that both the Court of Common Council and the Court of Aldermen have powers of drawing upon these funds, and the extent to which they respectively exercise those powers. The first table, on page xiii, is the amount that the Court of Common Council were responsible for in the year, and the second table, with the description entered in the first column, shows the amounts for which the Court of Aldermen were responsible in those years.

3734. Then against many of these items there were receipts?—Against many of these there were receipts, and they are set out on page xiv. I first of all give the expenditure and then deduct the receipts in aid, and show under each head what the net result is for the Court of Common Council and for the Court of Aldermen.

3735. (*Mr. Crawford.*) Then, is not that slightly misleading, because, taking your column at page xiii, I see you include the Mayor's Court and Schools, and yet in your column on page xii, you do not give the receipts of the Mayor's Court and scholars' fees?—Well, the items on page xiii are the net amounts which fall upon the Corporation estates, not the gross.

3736. (*Chairman.*) Is that so? I thought, for instance, Schools, it was the gross, 51,000*l.*—that there were receipts from Schools of 51,000*l.*?—I beg your pardon. That is so; they are included in there; in that 51,000*l.* would be the 40,000*l.* odd for Schools.

3737. I think the observation of Mr. Crawford is rather just. It would have been well to have had those receipts in aid brought more distinctly against the items for receipts and expenditure?—The items for receipts in aid should be explained to you.

3738. Explained specificially, yes?—That would be very easily done.*

3739. (*Mr. Crawford.*) Well, before you pass from page xiii, I should like to ask you one question. I see a statement here:—"The powers of the Court of "Aldermen to expend moneys were in the evidence "before the Commissioners of 1834 (page 67) and of "1854 (*see* Questions 2024–6), considered to be "unlimited." I do not know whether you have gone carefully through the evidence which has been given in this Inquiry, and have ascertained that the Court of Aldermen restrict themselves to drawing moneys for the purposes peculiar to that Court, such as magistracy, not for general purposes?—Oh, I believe that that is so. As a matter of fact, that statement simply has to do with their powers. How they exercise those powers is set out in the columns.

3740. (*Chairman.*) Your next sentence says:—"The expenditure actually incurred by them seems "to have been limited to honorary grants, pensions "to widows and orphans of deceased aldermen, and "charges in respect of their magisterial functions"?—That is so.

3741. (*Mr. Crawford.*) I was going to ask you a question in regard to that, "pensions to widows and "orphans of deceased aldermen." Can you tell me when last there was a payment of a pension to a widow or orphan of a deceased alderman?—No; I cannot offhand.

3742. You have taken considerable trouble to go back to the accounts since 1869—can you tell me when last there was a payment of that character?—I cannot charge my memory with any particular payment—no.

3743. May I take it that you have not found any such payments in modern times?—I certainly have not found a specific payment—certainly not. It is more the heading of the account than a specific charge. On page 39, I set out those payments, and it will be noticed that, in column 17, the Court of Aldermen's expenditure under that heading is 210*l.* per annum apparently.

3744. (*Lord Farrer.*) That is for the widows of freemen, is it not?—Yes; but a portion of it is payable by the Court of Common Council by order of the Court of Common Council, and the other is paid by the orders of the Court of Aldermen.

3745. (*Mr. Crawford.*) Yes; but there is a distinction between the widow of a freeman and the widow or orphan of an alderman?—Quite so.

3746. I think, Mr. Gomme, it is only fair to say that these are really doles. You may regard these as doles; they are Christmas gifts, as a matter of fact?—Yes.

3747–8. There is very little in it, but it might offend some of the aldermen to state that they create a pension fund of their own as it were?—Well, that expression is what I have taken from some document—it is the heading of the account rather than the actual expenditure.†

* *See* Gomme, 4104–17.

† *See also* Gomme, 4126–9, 6160–1.

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3749. (*Mr. Smith.*) There was something very like it in one of the previous Commissions. I do not know whether it came from that?—I think it is very likely. I think very likely I did get that expression from one of the previous Commissions.

3750. I think the figures are almost familiar to me. I think it comes from an extract from the previous Commission.

3751. (*Chairman.*) You go on to give the expenditure for the four years under consideration which was ordered by the Court of Aldermen, and there is no item in that which appears to be capable of covering a pension to a widow or orphan of an alderman?—No; certainly not. The accounts are marked with an asterisk, thus enabling us to distinguish items that are paid by the Court of Aldermen and the Court of Common Council respectively.

3752. Then, taking these two expenditures together, and deducting the receipts in aid, and comparing them with the rents of the City estates, you get the deficiencies in the four years?—We get deficiencies in the four years. Yes, that is to say, that the whole of their expenditure is not met out of the estates and funds.

3753. The deficiency running from 19,600*l.* up to 65,000*l.*?—Yes.

3754. It is met out of other sources, but not out of the estates?—But not out of the estates; yes.

3755. Now, the first of the other sources?—The first of the other sources is the interest on cash balances. I first set out the total amounts received by the Corporation in those four years for that purpose, and then I divide it between interest on securities invested by and belonging to the Corporation, and the other head is profit on the employment and interest of floating balances in the chamber. Those are the words used by the Corporation, it being that the use of these balances in 1889 produced 11,000*l.* odd; in 1890, 12,000*l.* odd; in 1891, 10,000*l.*; and in 1892, 9,000*l.* Then I explain shortly how it arises that this profit is made. In the offices of the Chamberlain, he being the City Treasurer not only of the Corporation accounts, but also of the City Trust accounts, and the Police Commissioners, and the City Commissioners of Sewers——

3756. (*Mr. Crawford.*) He acts as banker for them?—Banker—yes.

3757. (*Chairman.*) These receipts are not earmarked so as to meet the expenses of the Chamberlain's office?—No; the profits are put down in one sum, and of course one does not know how much is under each.

3758. You can tell whether they are profit or not, but they go in indiscriminately on the credit or debit side, as the case may be,—those items?—Yes.

3759. (*Mr. Crawford.*) You do not find any charge against either the Commissioners of Sewers or the Police Committee for keeping their accounts?—Not at all.

3760. Do you happen to know that an immense amount of work falls on the Chamberlain's department in keeping those accounts?—I do not know it as a matter of fact; but I can quite conceive it.

3761. I see a statement here:—"The ratepayers of "the City are taxed for the purposes of the City "Corporation; because the interest earned by the "cash balances of the City Commissioners of Sewers "and the Police Commissioners, instead of going in "relief of rates, as in all other rating authorities "throughout the kingdom, go to swell the funds of "the Corporation." Would that be quite a fair statement if there is work done by the Chamberlain's department for those two bodies?—I think it is so, in this way: that in all other rating authorities they have the command of their own cash balances, and they receive the interest on those cash balances.

3762. But they would have to pay, would they not a large staff for checking accounts, and collecting, and other matters that is all done in the Chamberlain's department?—They would, no doubt, have to pay their accountant's staff, but, of course, it is a question of amount, as to whether the amount that the Chamberlain receives from interest is either in excess or less than the amount which it would cost.*

3763. (*Chairman.*) Do you know what the average floating balance of the Commissioners of Sewers would be?—No, there is nothing to prove that, but in page xvi I set out the actual balances at the end of the year. Of course, between the first and the last date of those years they may float up to a large amount or down to a very low amount.

3764. You do not suggest that they make a bogus balance at the end of the year?—Oh dear, no.

3765. (*Mr. Crawford.*) I see you say, "to a slight extent only"?—Yes, because I have no means of judging to what extent, nor do I know how far the City Commissioners of Sewers have an expenditure of their own for keeping the accounts.

3766. You do not know at all whether it is customary for the Chamberlain to have to advance money to the City police before the rates are collected, for which no charge is made?—I do not know that that is so.

3767. And that is a charge that would reasonably be made by a banker, is it not?—Certainly.

3768. (*Chairman.*) It is not very much?—It is not very much.

3769. Supposing this 70,000*l.*, which appeared to be more than an average at the end of the year, that the City Commissioners of Sewers have of floating balance, that would not produce more than 1,400*l.* a year?

3770. (*Mr. Crawford.*) If I may be allowed to say so, I think it shows the County Council that they might do well to start a banking department; we find it pays?—In 1892 the balance of the Commissioners of Sewers was 126,000*l.*

3771. But much lower in other years?—Much lower in other years.

3772. Seventy thousand pounds is the average of all?—Yes.

3773. (*Lord Farrer.*) After all, it is not very important, is it?—It is two pockets of the same persons?

3774. (*Mr. Crawford.*) What I objected to was the statement that we were taxing the ratepayers. We rather claim the credit that we come to the assistance of the ratepayers?—It is scarcely two pockets of the same persons, Lord Farrer.

3775. (*Lord Farrer.*) The ratepayers and the Corporation?—It simply tends to point out the difference in the City, that the Commissioners of Sewers do not have the same privilege or otherwise of dealing with their cash balances as any other rating authority in the kingdom.

3776. (*Chairman.*) The result appears to be that there are cash balances in the hands of the Chamberlain very much exceeding 30,000*l.*?—That looks as if it were so; yes.

3777. These are at the end of the year?—Those are at the end of the year only.

3778. You do not know when the rents would be coming in?—No, but presumably on the four quarter days.

3779. And therefore the end of the year would not be the most favourable time, would it?—Probably not.

3780. To balance accounts — to depend on the receipt of rents?—Probably not. No, I should think not. In that case the general estates, of course, would be low.

3781. The amount received from interest on these cash balances appears to have been a little over 10,000*l.* on an average?—A little over 10,000*l.* on an average—yes.

3782. And if these were the average cash balances, that would be over 2½ per cent.?—Yes, on an average that would be so—a little more in one year.

* *See also* Gomme, 4333–9. *See also* Payne, 6986–96.

3783. If you take it at 400,000*l.*, which is an excess, you say?—Yes, an excess.

3784. Two and a half per cent. would be 10,000*l.*?—Would be 10,000*l.*

3785. Which is about the average?—Yes.

3786. The Chamberlain seems to make his money well. We will now proceed to the question of the markets?—In the next section I deal with the markets, pointing out that in the first table I give the receipts in the four years—the gross receipts.

3787. There are two markets you put aside as being special?—Two markets—the Coal Market and the Deptford Cattle Market—I put aside. The other markets are those markets that appear in the accounts—the revenue from which appears in the accounts to go to the General Estates of the Corporation. They are not dealt with in any other way by the Corporation but as their ordinary private property.

3788. (*Lord Farrer.*) And it comes into the accounts?—It comes into the accounts.

3789. Just in the same way as the rents?—In the same way as the rents.

3790. (*Chairman.*) Dealing strictly with the expenditure, exclusive of loans, these show a considerable surplus?—Exclusive of loans they show a considerable surplus.

3791. About 160,000*l.* a year?—About 160,000*l.* a year.

3792. Which would seem to be something like two-thirds of the receipts?—Yes, that would be so on an average.

3793. That is a very large receipt to make in the way of profit out of the market?

3794. (*Lord Farrer.*) The debts are very heavy?—The debts are very heavy.

3795. (*Chairman.*) Then the expenditure on loans?—Expenditure in respect of debt in the four years was in respect of interest only; there was no repayment of capital. I give the actual figures under each different market in respect of the four years. Then I bring out the surplus.

3796. Are those loans perpetual loans?—No, they are loans renewable at particular periods.

3797. They are not annuities or loans that come to an end at any given time?—No.

3798. So that if they come to an end they have to be renewed?—They have to be either repaid or renewed.

3799. They have to be repaid or renewed?—Yes.

3800. They are not perpetual in the sense that a person who has the bond may claim to be repaid at the particular time that the bond matures?—They are repayable at the time the bond is matured.

3801. On the important point of perpetuity is the Corporation under any obligation to redeem and extinguish such bonds within a limited period?—There is no annual payment; I only know that, as a matter of fact, within these years they did not extinguish any bonds. Whether they exchanged them, or how they dealt with the bonds as they fell due, of course is not disclosed by the accounts.

3802. (*Mr. Crawford.*) You do not know whether the bonds are repayable at a fixed period?—I believe that is so; but I do not know it as a matter of fact.*

3803. (*Lord Farrer.*) Repayable—that the Corporation are bound to repay them to the bondholder.

3804. (*Mr. Crawford.*) I mean to say that an ordinary bond is issued for a certain sum of money repayable on a certain date?—Oh, I understood that. I beg your pardon. I did not quite understand your previous question.

3805. (*Chairman.*) They may be repayable and renewable, or repayable on an application to extinguish?—Yes.

3806. The former is the position you understand to be taken?—The former.

3807. (*Mr. Smith.*) There is no reduction of debt in the first instance?—There is no reduction of debt.

3808. (*Mr. Crawford.*) I think you will find in your own schedule that you give the repayments?—Yes, I give the dates of the repayments in each class at page 44–45. I did not quite understand your previous question.

3809. (*Chairman.*) So far we have arrived at this, that the revenue meets the expenditure with a small surplus, but not a very large one, towards the extinction of debt?—That is so, something like 12,000*l.*; 10,000*l.* to 12,000*l.*

3810. Then the reserve fund, what is that?—That is the account of the Corporation, that I confess I had a great deal of difficulty in understanding; and in order to satisfy myself how it was, I analysed it from 1869 to 1892, and I just shortly summarised the result of that. However that operated in the earlier years, during these four years that I have more particularly paid attention to, the reserve fund, from the point of view of account only, seems to have been confined to a matter of transfer from the Clerkenwell Improvement Account, which was then closing, to the Holborn Valley account, or from that account to the General Estates of the Corporation.*

3811. (*Mr. Crawford.*) Might that be explained in this way, Mr. Gomme? Assuming that the Corporation had expended large sums in connexion with the improvement, and then repaid themselves at suitable periods by tranfers from the reserve fund, might that not be the explanation of what you call a mere transfer account? Is it not really a payment from the reserve fund to the Corporation itself by way of recoupment for moneys expended on outstanding improvements?—Perfectly so. I quite understand that that may be so. But my point was, that taking the figures of these particular years it did not operate in any other way than that I have explained. I am not suggesting that the transfers were improper in any way. I am simply saying that for the purpose of the four years, and treating revenue as distinct from capital, all that the reserve fund account did was to operate as a transfer account. As to whether the transfers were proper or not I have no knowledge.

3812. You do not suggest that they were not proper?—Oh, certainly not.

3813. (*Chairman.*) The fund was created in 1857?—The fund was created in 1857, it appears, by order of the Common Council, and it has had a great deal of money paid into it, and paid out of it during those years, as I set forth there.

3814. Yes, you start from 1869. You give at the bottom, I see, an extract from the report of Mr. Hicks?—Yes; that was a piece of information—the only piece of information really that I had available to explain to me anything about the reserve fund, and I printed it for the information of the Committee.

3815. What was the date of that report?—Well, unfortunately I did not get the exact date. It was not very long ago. The document was made public.

3816. (*Mr. Crawford.*) Oh, yes. I think it was about 1889, as far as I can remember?—I think it was somewhere about that.

3817. (*Chairman.*) He speaks of the last 15 or 16 years. It is rather desirable to know what years are referred to. Well, he gives an explanation of the cause of the creation of this fund apparently?—Yes; he gives a short explanation of the way the fund then operated.

3818. (*Lord Farrer.*) But the object of it was to meet the falling-in of certain leases?—To meet the falling in of certain leases on the Finsbury estate.

3819. (*Chairman.*) Those were ecclesiastical leases; the Ecclesiastical Commissioners refused to renew, were they not?—That I do not know.

3820. (*Mr. Crawford.*) I think, Mr. Chairman, that these were the prebendal estates, of which the Corporation used to get very beneficial leases from the Ecclesiastical Commissioners, and which, I believe, the Ecclesiastical Commissioners refused to renew.

* *See also* Gomme, 4117–25.

* *See also* Payne, 6997.

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3821. (*Lord Farrer.*) And those have all come to an end now?

3822. (*Mr. Crawford.*) Yes.

3823. (*Lord Farrer.*) Therefore the original cause for the fund has come to an end to.

3824. (*Mr. Crawford.*) The original cause may have come to an end.

3825. (*Mr. Smith.*) Or rather its necessity.

3826. (*Lord Farrer.*) The necessity for the fund.

3827. (*Chairman.*) Well, what can you tell us about this fund and its operation?—Well, I am afraid I can tell you very little more than I have, except so far as is disclosed by Mr. Hicks' report.

3828. You do not know how this half million of money to which he refers was formed?—No; I have no information upon that point. I simply printed this report for the information of the Committee when they were considering the subject.

3829. (*Mr. Crawford.*) You see they had an enormous expenditure in connection with the Thames sewage outfall, incurring something like 24,000*l.*

3830. (*Lord Farrer.*) This gives one to understand that a very large part of the reserve fund has been spent upon these objects?

3831. (*Mr. Crawford.*) Upon these very objects?

3832. (*Lord Farrer.*) Which are mentioned here.

3833. (*Mr. Crawford.*) Yes, and the gist of the report was to show the Corporation that they had really been far too liberal.

3834. (*Chairman.*) It would appear that they had this reserve fund to operate upon if they saw anything ornamental or otherwise desirable.

3835. (*Mr. Crawford.*) Well, I am afraid you cannot call the Thames outfall ornamental.

3836. (*Chairman.*) Queen Anne's Statue, almshouses.

3837. (*Mr. Crawford.*) Well, that may be ornamental. But you see the enlargement of the City of London Pauper Lunatic Asylum, under ordinary circumstances, would come out of the county rate, and that came out of the Corporation reserve fund?—Yes, that is so.

3838. (*Chairman.*) Is that reserve fund fed in any way now?—During the four years it has only been fed from the Clerkenwell Improvement Account.

3839. A transfer?—And interest on the City bonds that were placed in the reserve fund.

3840. (*Mr. Crawford.*) There has been no chance of feeding it since the loss of the coal dues; it has been absolutely stranded. The Corporation was absolutely stranded by the loss of the coal dues.

3841. (*Lord Farrer.*) In this account of the receipts from rents, there has been no great falling-off in the rents in consequence of the falling in of these leases. They seem to go on—the aggregate sums seem to go on pretty steadily.

3842. (*Mr. Crawford.*) Apparently by the schedule which is set out here, it is so, Lord Farrer. It seems to be so.

3843. (*Chairman.*) Then we must go on to the next item—charges for debt to the general estate?—I then deal with the question of the charges for debt, and I divide those into two classes, namely, those charged directly and finally upon the Corporation estates, and those charged first upon market rates and dues and then upon the Corporation estates as collateral security.

3844. (*Mr. Crawford.*) I find that the Finsbury lease fell in in 1867?—That is just before I began.

3845. You commenced in 1869?—In 1869—that is so; yes.

3846. (*Mr. Smith.*) Could you tell us, Mr. Crawford, roughly, what was the loss sustained by the falling in.

3847. (*Mr. Crawford.*) Of the Finsbury leases?

3848. (*Mr. Smith.*) Yes.

3849. (*Mr. Crawford.*) Well, it was long before my time, Mr. Smith. I can get the information.

3850. (*Mr. Smith.*) I did not know whether you might know.

3851. (*Mr. Crawford.*) I will endeavour to answer the question.*

3852. (*Chairman.*) Will you go on?—I then set out in Class "A" the loans charged directly upon the Corporation estates and their interest—in respect of Highgate Woods, Leadenhall Market Approach, Pauper Lunatic Asylum, and a portion of the Metropolitan Cattle Market debt. I then give the loans in detail, and show, from the statement annexed to the Corporation accounts, when those loans are due, and the amount of interest that is payable thereon. The amount on Highgate Woods is 5,000*l.*, due in 1892, the yearly interest amounting to 150*l.* The loan for the Leadenhall Market Approach is 148,800*l.*, repayable in various years, the last one being 1907; and the amount of interest that was payable on that loan in that period will be 32,000*l.* And the loan for the Pauper Lunatic Asylums is 8,000*l.*, repayable in 1898; the yearly interest being 240*l.* The loan for the Metropolitan Cattle Market for the extension of the lairs and slaughter-houses, that is charged upon the general estates to the amount of 78,600*l.*, repayable at various years, the last one being 1902, and the interest due within that period being 15,835*l.* Then I summarise that, and point out that the total debt chargeable directly upon the Corporation estates is 240,400*l.*, and the amount payable thereon for principal during the current year (1893) was 36,000*l.*, and the interest 8,163*l.*, or altogether 44,163*l.*

3853. The two great loans in that class are in process of gradual extinction—Leadenhall Market Approach and the Metropolitan Cattle Market?—Not quite so.

3854. Subject possibly to the power of reborrowing?—Subject to the power of renewal if thought advisable.

3855. But with respect to the smaller loans of Highgate Woods and Pauper Lunatic Asylums, there is no provision for payment until they are due?—The whole sum is due at one particular time—yes. Then under Class "B"——

3856. Now, these loans have been in course of payment all during the years that you have been reviewing?—Yes, that is so.

3857. Well, have they been renewed during those years?—The Highgate Woods loan has not been renewed.

3858. I mean the Leadenhall Market Approach and the Metropolitan Cattle Market?—The Leadenhall Market.

3859. Those periods and sums for repayment—no doubt as you have gone backward you can go forward, from 1893 to 1895, and 1897, and 1902; there could be something corresponding to that in the past?—There would be something corresponding to that in the past—yes.

3860. As these capital sums were paid off, was there any renewal of the debt?—I could not answer that off-hand. I should have to look into that. But my impression is that there has been a certain amount paid off the Leadenhall Market Approach in 1892, but not for the Metropolitan Cattle Market, I believe.

3861. It is not every year; you see 1893–1896 in one case?—Oh, not every year; sums are not due every year.

3862. (*The Secretary.*) In page xvii. you say there was no repayment out of principal?—That is for markets alone; but this is not for the markets. Leadenhall Market Approach is a loan chargeable not upon the market rents but upon the Corporation estates.

3863. The Metropolitan Cattle Market?—The Metropolitan Cattle Market is a loan charged upon the Corporation estates, and not upon the market revenue. But, as a matter of fact, I know that only interest was paid upon the Metropolitan Cattle Market in that year.

* *See* Q. 3901–9.

3864. (*Mr. Holt.*) There is no sinking fund then, is there, to redeem these loans?—No, there is no sinking fund.

3865. They go on perpetually then? They may be renewed?—They may be renewed.

3866. (*Chairman.*) They may be; the only question is whether, in fact, they are?—I know, as a matter of fact, as between 1891 and 1892 there were certain loans, some got paid off and some got renewed; but I could not give you the exact figures at the present moment here.

3867. (*Lord Farrer.*) Can you find out from the accounts?—Oh, yes; I could find that out. The Corporation give it very fully in their table at the end. Their statement of loans is very complete, and it is simply a matter of picking it out.

3868. (*Mr. Crawford.*) With regard to markets, I have just referred to the Acts, so as to clear up the point raised by Lord Farrer. I see there is no stipulated time for repayment; but the amount of the loans is restricted by the several Acts, and power is given to the Corporation to borrow the money under the common seal of the Corporation, with bonds in such form, and containing such stipulations and conditions as they may think fit, and the Corporation has power from time to time to pay off, and in the same way, to reborrow.

3869. (*Lord Farrer.*) Yes.

3870. (*Mr. Crawford.*) So that the total amount does not exceed the amount mentioned in the Act.

3871. (*Lord Farrer.*) Quite so; they have power to borrow to a limited amount, but they are not bound to pay that off within any given time.

3872. (*Mr. Crawford.*) The reason apparently being that they are not merely secured upon the market revenue, but upon the whole of the estates of the Corporation. They have something more than the mere tolls of the market as security.

3873. (*Mr. Smith.*) The practice there would differ entirely from the way in which any other Corporation would treat it. Any other Corporation would borrow not upon the tolls, but upon the general rates of the Corporation, and yet would be subject not only to pay its interest but also to provide the sinking fund for the repayment of the principal; therefore, it would make a greater charge upon the ratepayer than an ordinary municipal borough.

3874. (*Mr. Crawford.*) Yes; that is where it is charged simply upon rates, of course; an ordinary borough not having property such as the Corporation have.

3875. (*Mr. Smith.*) But many boroughs have property.

3876. (*Mr. Holt.*) We pay those things off.

3877. (*Chairman.*) Looking forward to page 44, I see a statement there with reference to the Leadenhall Market Approach Loan. The total amount raised; adding those four sums together, I find the total amount raised is the total amount now outstanding?—Oh, then that would prove that there was nothing repaid.

3878. Nothing has been repaid there?—Nothing had been repaid on that account.

3879. Is there anything repaid on the Metropolitan Cattle Market?—The Metropolitan Cattle Market would come on page 40, I think. Metropolitan Cattle Market (1882–5); there there is only a balance of 78,600*l.*

3880. A great deal has gone there?—Yes.

3881. Those are charged on the markets as well as on the General Estates?—Not these two loans; the Leadenhall Market Approach and the Metropolitan Cattle Market, as I understand it, are charged upon the general estates; and the Metropolitan Cattle Market, which is the sum in question which we are now dealing with in the first column—I may now correct myself; in the first column, the whole of that sum, namely 78,600*l.*, which was borrowed in 1855–56 to the extent of 43,000*l.*, and in 1873 to the extent of 35,600*l.*; the whole of that is still outstanding.

3882. That makes the 78,600*l.*?—That makes the 78,600*l.*, which is chargeable upon the general revenues of the Corporation, and not upon the market tolls. So that nothing of those two loans has been paid off.*

3883. Yes, I see. Then there has been no repayment of those?—No. Then I take the loans outstanding at the end of 1892 upon the market rents and dues, and I set them forth.

3884. That is, primarily upon those?—Primarily upon those. Quite so. And I set them forth under the heading of each market, showing a total of 2,509,000*l.*, the details of which are given in pages 42 to 45. I give the date at which each loan falls due, and the amount of interest that is payable within the year in which they fall due.

3885. Well now, there appears to be the 400,000*l.* on the Metropolitan Cattle Market — the original total amount?—Yes, that appears to be so.

3886. It has not been reduced; but surely it must have been paid off and renewed? — Paid off and renewed, no doubt—yes.

3887. There has been no reduction?—There has been no reduction.

3888. There must have been sums outstanding repayable in the past which have been re-borrowed?—No doubt, which have been re-borrowed. It was first borrowed in 1852.

3889. (*Mr. Crawford.*) Then bondholders get the benefit of that clause which I referred to just now in the Contagious Diseases Animals Act, in which the moment the debt is paid off on the Foreign Cattle Market, the profits are to be applied for the reduction of the debt on the Metropolitan Cattle Market?—Oh, yes.

3890. (*Chairman.*) Then the London and Central Markets also—do you know about that also? It is difficult to add up all those figures?—Some of these have been paid off. In the column "Amount paid off," part of the 1863 loan has been paid off to the extent of 113,000*l.*; and the part of the 1875 loan has been paid off—85,000*l.*—that has been paid off during last year, as I explained on page xxi. Then the Billingsgate Market—there seems to be 4,000*l.* paid off that, leaving outstanding 268,000*l.*

3891. You say certain sums were paid off during last year? — There was a sale of the Farringdon Market in 1892, and financial arrangements were made for the redemption of that loan out of the proceeds of the Farringdon Market. It really did not actually occur in the year 1892, but certain financial transactions took place which effected that.

3892. (*Mr. Crawford.*) The amount was applied?—The amount was applied. Oh, yes; I point that out on the second paragraph of page xxi.; 85,000*l.* was paid off in 1892 by means of a temporary loan pending the completion of the sale.†

3893. (*Chairman.*) There you have brought in, I see, Deptford market, into which we have not yet entered?—I have not explained that total yet; shall I go on with it now?

3894. Yes, please?—Then, for the purpose of estimating what the total market debt upon the Corporation might be, we have first of all to estimate the probable income from the general markets, which I have put at 100,000*l.* You will see the evidence of that at page xvii. And then I have estimated the probable income from the Deptford Cattle Market at 22,000*l.* The evidence for that is on page xxxiii.

3895. (*Lord Farrer.*) What is the reason for the apparent increases in the income available in particular years?—Two years are taken there. I have taken the exact years of the loan. This table is a mere calculating table. It is not an account table, it is simply for the purpose of calculation. I have set out the debt payable under each loan, and then the interest payable, and then the income available to meet those charges. That is simply my estimate of the way in which those charges are to be met from

* *See also* Payne, 7006–7. † *See also* Payne, 7006.

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income. And then having arrived at that table I proceed to estimate what would be the ultimate charge which would fall upon the City Estates from the market debt. I give in the first column the principal due on bonds on the different dates at which they are due. I then calculate the interest, and give that in the second column; and then if we go on to the fourth column I give there the income available for principal after paying interest, that is, deducting the interest, 88,443*l.*, from the income available, namely, 122,000*l.*—in the first year it is 143,882*l.*—and then after showing the amount of income available for the paying of principal, I apply it to that purpose and re-borrow the unpaid principal at 3 per cent. This is merely for the purpose of estimating what would be the charge at the end of 1907 upon the General Estates of the Corporation. The last column shows the accumulation of debt each year by that process, charging only 3 per cent. for the unpaid amounts each year, and it shows that at the end of 1907, when the last bonds fall due, if the money were re-borrowed at 3 per cent., there would be a debt then upon the markets of 1,805,292*l.*

3896. (*Chairman.*) Is that figure shown?—That is on page xxii. I then apply the free income, the 122,000*l.* will then be free; and then I estimate how long it will take to repay that debt, and it works out 20 years; and then that points to the fact that the markets would not be free from their present debt, that is, if the whole revenue is applied to it, until 1927, and of course none of their revenues in that case would be available for general purposes. Then the important consideration comes in as to the value of market rents. Burdett puts it at 23 years, and this calculation makes it 34 years from the present date, although less than 23 years from the date when they fall due.* But it is a matter for consideration. Then I go on further to point out that the whole of this income being hypothecated to the existing debt it leaves no margin for any future capital expenditure that might be required; and in order to test what that capital expenditure might be I set out in the table at the bottom of the page what the capital expenditure on the Central Markets and the Deptford Cattle Market has been in the four years under consideration, and pointing out that it amounted to 132,573*l.* 17*s.* 9*d.* in the four years.

3897. Very large in one year especially?—Very large in one year.

3898. Do you know the character of that expenditure?—In 1891—I believe it is stated in the accounts, the construction of the London Central General Market and the fruit and vegetable section—purchase of the site.

3899. (*Lord Farrer.*) That would probably bring with it some additional income, would it not?—No doubt that is so. That particular expenditure, no doubt, would, because it is the purchase of a site and the enlargement of the market. But other expenditure is not of the same character.

3900. (*Mr. Crawford.*) No, but I see you rather sum it up, and you draw an inference from the fact. You say:—"There is one point further which affects "the value of market revenues as applicable to "existing debt chargeable on those revenues; namely, "that if applied to the extinction of existing debt "there is no provision for the next 34 years for any "new capital expenditure on the markets. This is a "serious matter, as even during the four years under "consideration the following capital expenditure has "been incurred, and it is not reasonable to suppose "that this can now cease for the next 34 years." Whereas this appears to be an unusual expenditure which will bring in a profit in all probability?—Yes, that is so; and probably, therefore, that remark on page xxii might be a little modified.†

3901. It struck me that the remark was a little strained. May I answer Mr. Smith's question?‡

3902. (*Mr. Smith.*) Oh, thank you.

3903. (*Mr. Crawford.*) I find that, taking the average of the 20 years prior to the Finsbury leases falling in, it was about 40,000*l.* a year which the Corporation lost.

3904. (*Mr. Smith.*) By the non-renewal?

3905. (*Mr. Crawford.*) By the non-renewal—yes.

3906. (*Mr. Smith.*) Was any part of the sinking fund applied towards a special fund for that purpose?

3907. (*Mr. Crawford.*) That, I am sorry to say, I cannot answer you offhand.

3908. (*Lord Farrer.*) They clearly found themselves in possession of a considerable surplus arising from the savings of former years, which they have applied, as Mr. Hicks states, in the way mentioned there.

3909. (*Mr. Crawford.*) I believe, as a matter of history, that there was some slip made—a certain notice was not given, and advantage was taken of that fact, and the Corporation lost the power to renew.*

3910. (*Chairman.*) We now come to the trust funds of the City. They appear to belong to two classes—those in which the property is given up exclusively to the particular fund, and those in which there is a residuary benefit to the City itself?—Yes, that is the general character of the trusts.

3911. What are those in which the City has a residuary interest?—There are two of those—the City of London Court and the Deptford Cattle Market.

3912. And in all other cases, I take it, the funds are exclusively devoted to the particular trusts with which they are associated?—In other cases the funds are exclusively devoted to the particular trusts with which they are associated.

3913. What is the first of them?—The first of them is the Gresham Estates, and I set out at page xxiii shortly the nature of the charges to which they are applicable—first, to the Royal Exchange, and, secondly, to the Gresham College; and then for the four years under consideration, I give a synopsis of the amounts spent for those purposes.

3914. The income is something under 10,000*l.* a year—between 9,000*l.* and 10,000*l.* a year?—The income is about 9,000*l.* a year.

3915. Does half of that income belong to the Gresham Trust?—Yes, one half belongs to the Corporation.

3916. The expenditure sometimes exceeds and sometimes falls below that?—Yes, the expenditure sometimes exceeds and sometimes falls below that; but practically it is about the same.

3917. Is there a debt upon that trust?—There is a debt upon that trust, and interest and repayment are charged in the three years—1889, 1890, 1891.

3918. Is that a diminishing debt?—That is a diminishing debt; that is, so much is paid off each year, and that diminishes the amount of interest. In the year 1892 they did not pay off any of the debt, but they provided an investment of 4,091*l.* 16*s.* 5*d.*, which presumably would go to a sinking fund for that debt.

3919. You cannot tell us any particulars of the debt, perhaps?—Yes, the particulars of the debt are given at page 44. On the rebuilding of the Royal Exchange the original debt was 85,000*l.*, and that sum was borrowed in 1842, of which 17,800*l.* has been paid off.

3920. That is at page 44?—That is at page 44, and that leaves 67,200*l.* chargeable upon it——

3921. But half of that applies to the City?—The whole of those figures apply to the City; they represent the half which belongs to the City.

3922. (*Mr. Crawford.*) It is charged on the City's moiety of the Gresham Estate?—Yes.

3923. (*Chairman.*) And the balance now is 67,000*l.*?—The balance now is 67,200*l.*

3924. At 3½ per cent.?—At 3½ per cent.

* *See also* Payne, 6880–94.
† *See also* Gomme, 6161–2.
‡ *See* Qq. 3846–51.

* *See also* Payne, 6997–7006.

3925. That is about 2,000*l.* a year?—Yes; interest.

3926. And the property, therefore, may well pay that with considerable instalments of principal?—Yes.

3927. It seems to me that that would be; however, for our purpose, it is wholly immaterial?—Yes; for our purpose it is wholly immaterial.

3928. Because the funds are exclusively devoted to the trust?—Yes, because the funds are exclusively devoted to the trust.

3929. The City has no interest in it?—Apparently not.

3930. Whatever happens to the City, all that would happen in this case would probably be some fresh nomination of trustees?—That would be so.

3931. (*Mr. Crawford.*) You know, as a matter of fact, that it is managed by a joint committee of the Mercers' Company and the Corporation?—Yes, I believe that is so.

3932. And the clerk to the committee is the clerk to the Mercers' Company?—Yes, I understand that that is so.

3933. (*Chairman.*) Then the Bridge House Estates are also exclusively devoted to the trust?—Yes, the Bridge House Estates are exclusively devoted to the trust.

3934. The former fund was under the will of Sir Thomas Gresham?—Yes; the former fund was under the will of Sir Thomas Gresham, about 1575.

3935. What is the history of this trust?—The Bridge House Estates—I quote from Mr. Brand's evidence in 1854, which gives a short account of the origin of the estates, that is the only information I have——

3936. He sums it up by saying, "The result is a "fund held in trust for the maintenance and "support of London Bridge"?—That is so.

3937. But it has been administered as a fund entrusted for any of the bridges over the Thames?—No; it has been administered as a trust for the Blackfriars Bridge, and for Southwark Bridge by an Act of Parliament, the 30th of Victoria, chapter 3; latterly, of course, for the purposes of the Tower Bridge by another Act of Parliament passed in 1885.

3938. (*Mr. Crawford.*) That is so; the trust has been extended by statute?—Yes; the trust has been extended by statute.

3939. (*Chairman.*) Does not Kew come into it?—No; Kew was dealt with out of the coal and wine duties.

3940. Parliament has enacted that this trust might be rightly extended to many bridges over the Thames?—Parliament has enacted that this trust might be rightly extended beyond London Bridge, and has, in fact, extended it to three other bridges.

3941. (*Mr. Crawford.*) Is that quite a fair way of putting it, Mr. Gomme; is it not that Parliament has, on the application of the Corporation, sanctioned the use of the fund for particular bridges, not has held that it is generally applicable to bridges?—No, I did not say it was generally applicable to bridges; my reply was, that it had, as a matter of fact, been extended from London Bridge to two or three other bridges.

3942. All those Acts have been promoted by the Corporation?—Distinctly so.

3943. It has been on the application of the Corporation for liberty to extend the trust to a particular bridge which was the subject-matter of the Bill before Parliament?—Distinctly, that is so, but then it would be difficult to say, if the Corporation had not done that, what they would have done with the balances.

3944. (*Lord Farrer.*) It simply amounts to this: That the Corporation look upon themselves as the representatives of the public interest, and having this fund in hand, thought they could not do better than apply it to the improvement of other bridges besides London Bridge, very much to their credit; but in doing so they acted as representatives of the general public of London?—Yes, I take it that they had this money in hand; they could not apply it to any purpose without applying to Parliament, and they applied to Parliament to permit them to apply it to bridges.

3945. (*Chairman.*) They might possibly have gone to the Court of Chancery for a *cy près* administration. I think the making of bridges is within the definition of charges?—Yes, of course that may be so.

3946. (*Lord Farrer.*) But practically it has made the Corporation to a very considerable extent a general bridge authority for that part of London?—Yes, it has made the Corporation a general bridge authority for that part of London within the limits of the City, which is a county of itself.

3947. Is the Tower Bridge within the limits of the City?—The Tower Bridge is within the limits.

3948. (*Mr. Crawford.*) It is just a little beyond on both sides?—Just a little beyond.

3949. (*Lord Farrer.*) And the other side is also beyond the limits of the City?—And the other side too.

3950. (*Mr. Crawford.*) The bridges themselves are held to be within the city. They are patrolled by the City Police, and of course managed by the City Authorities, although extending beyond the City limits.

3951. (*Mr. Smith.*) The Tower Bridge is within the Liberty of the Tower?

3952. (*Mr. Crawford.*) Yes.

3953. (*Chairman.*) On the south side?

3954. (*Mr. Crawford.*) No, that is within the area of the London County Council.

3955. (*Chairman.*) Subject to a power that might be exercised on the part of the Corporation with the sanction of Parliament, this is an exclusive trust for bridge purposes?—This is an exclusive trust for bridge purposes.

3956. (*Lord Farrer.*) You do not know whether there are any distinct trust deeds under which that trust is exercised?—No, I have no knowledge of them.

3957. (*Mr. Crawford.*) I think in all the preambles to the various Acts it is set out simply as a trust for the maintenance and support of London Bridge.—I think those are the words, I have quoted them from one Act.

3958. (*Chairman.*) What was Mr. Brand's official position?—I think he was Comptroller.

3959. (*Mr. Crawford.*) Comptroller of the Bridge House Estates?—Yes.

3960. (*Chairman.*) That is an affluent trust?—Yes, that is an affluent trust, and it results, after payment of debt, interest, and repayment, in a balance of 104,012*l.* 10*s.* 7*d.*

3961. That is after appropriating very large sums to this new project of the Tower Bridge?—Yes.

3962. Apart from that it would be a very affluent trust?—Yes, apart from that it would be a very affluent trust. There is a possibility, I believe, of liabilities accruing against the balance for compensation for damage to the property of wharfingers during the construction of the Tower Bridge; but that liability, of course, would be of a temporary nature.

3963. Then the coal duty?—That being a trust that pays for itself, separates itself from the general estates of the Corporation. It does not affect the Corporation at all in any other way.

3964. Yes, but there are peculiarities connected with it which it is interesting to enter upon. Certain debts have been contracted, leaving a burden on the Corporation?—I was then alluding to the Bridge House Estates.

3965. I beg your pardon, the coal duty?—The coal duty is now a matter of the past; but for the information of the Committee, I set out the heads under which the coal duty arose, and the application of it at various stages.

3966. It goes back to the Charter of James I.?—I believe that that is so.

3967. Did that charter charge that duty with specific trusts?—I do not know about the Charter of James I.; it was a little later I was thinking of.

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3968. The words you have quoted are: "The "Corporation had received to their own use all profits "belonging to the office of measurer, and the Charter "confirmed all the fees and measurings aforesaid, "and the profits belonging to them, and the uses "and customs aforesaid to the Corporation and their "successors, and further granted to the Corporation "and their successors the office of measurer of, "amongst other things, all coals which might be "brought into the Port of London or the Thames in "any ship or vessel, or which might be brought into "any shore or wharf of the Thames from Staines "Bridge to a place called Yentleete, otherwise Yant-"leet, near the sea, together with the right to receive "all profits belonging to the said office of mea-"surer"?—Yes; that was under the Charter of James I.

3969. (*Lord Farrer.*) One of the old town dues by that charter was for the measuring of coal; that was its origin practically. There is nothing that arises upon it now, is there?—There is nothing that arises upon it now, as it really has ceased.

3970. (*Mr. Crawford.*) As a matter of fact, it did originally form part of the estates of the Corporation, and then by Statute it was applied to particular purposes, and the very reason why under the recent Coal Duties Abolition Act the Corporation were allowed to have another year, was really by way of compensation for giving up their ancient chartered rights which would have revived, and any profits derived from the exercise of them would have still formed part of their revenues and estates.

3971. (*Lord Farrer.*) And also was it not upon the plea that they had, on the strength of those coal duties, undertaken very considerable liabilities which would leave them at a great loss if the coal duties were taken away from them at once.

3972. (*Mr. Crawford.*) Yes, certainly, that is clearly shown by the evidence.

3973. (*Chairman.*) I think there might be some dispute—it is unnecessary to enter upon it—as to the cause of that prolongation.

3974. (*Mr. Crawford.*) Except that I am merely relying upon the preamble of the Act, and also the evidence which was given. I remember I had a good deal to do with it at the time, and that was one of the reasons why we put forward the claim, and it was compensated for by giving us continuance for one year.

3975. (*Chairman.*) Was it not added to the recital on consideration of your giving up your charter.

3976. (*Mr. Cawford.*) It recites our ancient charter rights, and then it also recites the remainder of this debt, and it continues the duties for one year, the produce to be applied in part payment of the debt on the Holborn Valley Improvement.

3977. (*Lord Farrer.*) Do you know, as matter of fact, whether the coal dues did pay all the liabilities which the Corporation incurred on the strength of them?—They paid off the liabilities so far as Kew and other bridges were concerned, but they did not pay off all the liability on the Holborn Valley Improvement.

3978. (*Mr. Crawford.*) The Kew and other Bridges Debt was not a liability of the Corporation, because under the Kew and other Bridges Act there was a joint Committee of the Metropolitan Board of Works and the City of London?—That is so.

3979. A distinct Corporation in fact?—A distinct Corporation, only that the dues were appropriated to that particular purpose.

3980. Certainly?—For the one year.

3981. For the one year?

3982. (*Chairman.*) What is the trust of the Coal Market?—Well, the Coal Market is peculiar, and I am not quite sure about that; but so far as the information goes, I have set it forth on page xxvi. The Corporation have the establishment of the Coal Market in their hands, and then by the first and second Victoria the dues cease. "When and so soon as the same "dividends and interest shall be fully sufficient for "the purposes last mentioned, then ever from thence-"forth the said duty of 1*d.* per ton of coals, cinders, "and culm shall cease." Well, the accounts say that this market does not pay on the whole, at all events for these four years. There was a deficit balance in 1890, and there was a deficit balance in 1891, and there was a deficit balance in 1892; and a small surplus balance in 1889.

3983. When did the 1*d.* a ton cease to be received?—That ceased, I believe, after the first and second Victoria.

3984. (*Lord Farrer.*) Does this deficit now fall upon the general funds of the Corporation?—That deficit does not, I believe, fall upon the general funds of the Corporation.*

3985. (*Chairman.*) There was no fear of renewing that duty of 1*d.* a ton in consequence of the receipts being insufficient?—Well, that is a legal question that I am afraid I would rather not answer.

3986. The whole affair seems to be rather a small business?—Very small, apparently.

3987. For the present is there going on an accumulation of debt against that trust?—No, it is scarcely as an accumulation of debt against that trust. Yes, it is so; that is to say, it is an accumulation against the balances.

3988. It is absolutely separate from the Corporation estates?—That is so.

3989. It is a debt due?—It is a debt due.

3990. Now due?—Met by the reduction of balances.

3991. Do you know the amount about due to the Corporation from that trust?—No, I have not gone further into it than these four years to ascertain whether the previous years resulted in deficits in the same way, but as matter of fact, I know that they have a balance from that market to meet these deficits, and I assume, therefore, the previous years were profitable.

3992. Probably there is no considerable sum owing; except in unusual cases, there is no very great amount one way or the other on the annual accounts?—No, I should think not, but it would be ascertainable.

3993. (*Lord Farrer.*) Supposing there was a deficiency, would it be paid for out of the general funds of the Corporation?—That I do not know.

3994. You do not know?—No, it is very small, you see, the last deficiency is only 158*l.*

3995. (*Chairman.*) What is the Clerkenwell Improvement Trust?—The Clerkenwell Improvement was carried out under Acts which are set down, and the improvement seems to be finished now, and the accounts are simply the record of the sale of property of surplus lands, and the revenue derived from rents.

3996. But the trust does not appear to be exclusively in the interests of the Corporation?—No, the Corporation have advanced moneys to the Clerkenwell Improvement, and moneys are now paid away from the Clerkenwell Improvement back to the Corporation.

3997. Strictly in repayments?—I have assumed that that is so; there is nothing to show it in the accounts; it may be that the Corporation are simply using the sale of property.

3998. (*Lord Farrer.*) Are you aware that these trusts are exclusive in that sense, that the funds have nothing to do with the Corporation funds; the Corporation funds are not liable for any deficit, or do not receive any excess?—With regard to the Clerkenwell Improvement, I suppose that they would be in the same position as the Holborn Valley Improvement, that if there was a deficit it would fall upon the general estates of the Corporation.

3999. (*Mr. Crawford.*) It was an improvement effected by the Corporation upon the credit of their estates and revenues?—Quite so.

4000. Of course if there was a deficit, they would have to meet it?—Yes.

* *But see also* Gomme, 6164.

4001. (*Chairman.*) It differs entirely from the Gresham Estate?—Oh, quite.

4002. In fact, this is not a case in which you would say the trust was exclusive?—Oh, no.

4003. It has to be added to the other two, in which, you say, the Corporation itself has a residuary interest one way or the other?—Yes, that would be so, but they have not, as matter of fact, applied it in the way that they have the other two, and so I have left it as it is.

4004. Well, in the last four years the Corporation has had a great access to the reserve fund from the proceeds of this improvement?—But they have applied it to the repayment of the Holborn Valley account, and it is simply like applying the result of the sale of one capital property to the repayment of another capital sum, and in that sense it is not applying it to revenue.

4005. (*Mr. Crawford.*) They recoup themselves?—Yes.

4006. (*Chairman.*) If a man is a trustee for two different families he cannot apply the proceeds of one to the deficiency of the other?—Well, it depends upon the circumstances, because they are not governed by the ordinary laws of trustees, but by special Acts of Parliament.

4007. (*Lord Farrer.*) That is a question that I think we must not assume too readily; that all these are exclusive trusts and have nothing to do with the general debts or the general property of the Corporation?—No, in this case I only interpret the figures as given in the Corporation accounts. I do not pretend to be able to say whether the Corporation are right in doing what they have done; I simply state what they have done and the result of that on the figures.

4008. I suppose there would be nothing to prevent the Corporation from applying their own funds to the repayment of the deficit upon any of these trusts if they thought it was for the general benefit?—No, I should think not; it is a matter of opinion.

4009. (*Chairman.*) You assume apparently that the surplus lands are exhausted in this improvement?—Yes, I think that is the conclusion I draw from the accounts.

4010. But what are they rents of, if not of surplus lands?—Well, they would be the rents of lands held by tenants or property held by tenants; the surplus land, I take it, was land not let but simply the land held for sale.

4011. Vacant?—Vacant land.

4012. As distinct from occupied land?—Yes. The reason why I say it is apparently exhausted is because among the assets of the Corporation for the last year, 1892, they do not enter any item under the Clerkenwell improvement as an asset.

4013. (*Mr. Smith.*) You do not mean surplus lands in the technical sense in which it is used in Improvement Acts. It means all the land, practically, which is not required for roads?—Not in this case.

4014. You mean undisposed of?—Undisposed of.

4015. (*Chairman.*) And before 1892 they had such an item in their accounts?—Before 1892; in 1891, for instance, they had such an item in their accounts.

4016. The City of London Court is a case in which the surplus proceeds do go to the general account?—In which the surplus proceeds go to the general account, yes.

4017. Or a deficiency is charged to the general account?—Yes. As a matter of fact there has been no deficiency in the four years; it has resulted in a surplus.

4018. That depends, however, upon the scale of fees?—That would depend upon the scale of fees, undoubtedly.

4019. Which is possibly not within the power of the Corporation?—That is so, I understand.

4020. What is the Blackfriars Bridge Estate?—The Blackfriars Bridge Estate is an improvement carried out under the Act of Parliament 26 & 27 Victoria, c. lxii., and it appears to be the residue of that improvement in the same way as the Clerkenwell Improvement. It is charged now only with certain taxes, and in the four years the balances have been increased to the extent of 3,231*l.* 9*s.* 9*d.*, making a total unapplied balance of 5,900*l.* 12*s.* 1*d.*, but whether the Corporation can use that unapplied balance or not, or what becomes of it, there is no information.

4021. So far as you know, it is an unclaimed balance?—So far as I know it is an unclaimed balance.

4022. But was not that done under the Bridge House trust?—I do not know.

4023. Why was Blackfriars Bridge trust treated as a separate matter; do you know?—No, I cannot answer that; as far as I understand this was the improvement of the approaches to Blackfriars Bridge as distinct from the building of the bridge itself.

4024. (*Lord Farrer.*) Then it was a City improvement?—A City improvement.

4025. (*The Secretary.*) It was under the same Act apparently?—It was under the same Act. This surplus property arose from the approaches to the bridge.

4026. (*Lord Farrer.*) If it is a City improvement you can hardly call it a totally separate trust, except in the strictest legal sense. The Corporation did it as the great authority of the City?—Quite so.

4027. (*Chairman.*) It is scarcely conceivable that it should have turned out—an improvement of that kind—to have kept a balance in their hands?—No; one does not know what the capital expenditure of the City has been upon it without examining the original accounts, and this 5,900*l.* 12*s.* 1*d.* may possibly be due to them for loans or other purposes.

4028. (*Lord Farrer.*) They probably have not been gainers by the re-building of Blackfriars Bridge altogether?—Not altogether; certainly not.

4029. (*Mr. Smith.*) Or by making the approaches?

4030. (*Mr. Crawford.*) It was distinctly a metropolitan improvement.

4031. (*Lord Farrer.*) Clearly.

4032. (*Chairman.*) And the Holborn Valley Improvement, how does that stand?—The Holborn Valley Improvement—the Corporation were empowered to apply the surplus funds remaining in their hands from the coal and wine duties to this improvement; and I set forth in the table at the bottom of page xxvii the amounts which have been transferred from the coal and wine duties in these four years for the purpose of the Holborn Valley Improvement. The whole of these transfers were not actually applied to debt in the year, but the balance not applied was invested as a sinking fund, leaving a considerable amount in hand, to the extent of 100,300*l.* 19*s.* 2*d.* nett. That is the amount that was paid. Then there was a small balance paid to them from the coal and wine duties, when the coal and wine duties ceased; a small balance of some 300*l.*, or between 300*l.* and 400*l.*, and the balance of the cost of this improvement falls upon the general estates of the Corporation.

4033. (*Lord Farrer.*) Was this improvement entirely within the City limits?—I believe that was so. I believe that it did not extend beyond is within.

4034. Still, it was a Metropolitan improvement clearly?—Oh! It is a large Metropolitan improvement, certainly.

4035. (*Chairman.*) It certainly is within the limits of the City. They go up to the Gray's Inn Road?—They go up to a little beyond the Gray's Inn Road.

4036. (*Mr. Crawford.*) The whole of it is within.

4037. (*Lord Farrer.*) The whole of it is quite within.

4038. (*Chairman.*) The Deptford Cattle Market?—The Deptford Cattle Market was established under the provisions of the Act 32 & 33 Vict. c. 70, which gave power to the City to establish it, and, if they failed to do so, gave the power to the local authority—the local authority then being the Metropolitan Board of Works. Then the City Corporation erected the market, and

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the surplus revenue was applicable, under section 27, to the payment of moneys borrowed by the Corporation for the Metropolitan Cattle Market.

4039. This a free balance?—This is a balance, yes, which is available for the Corporation.

4040. How have the balances been?—The balances, after paying off debt—and they repay principal as well as interest in this case—have resulted in a minus balance in three years, and a plus balance in one year only, 1890; but these balances were due to the payment of a large sum for debt, 25,000*l.*, which is not an annual repayment spread over a long period, but a lump sum paid as it fell due, and the deficits, therefore, are not caused by ordinary normal expenditure, and they were met by a reduction of balance from 25,556*l.* 5*s.* 3*d.* to 8,782*l.* 7*s.* 11*d.*

4041. There has been a reduction of balance of 16,000*l.*?—Yes.

4042. But a permanent debt has been paid off of 25,000*l.*?—But a permanent debt has been paid off of more than that. The permanent debt paid off during those four years has been, I think, 25,000*l.* in each year. In the year 1889 they paid off 25,000*l.* of debt, in 1890 they paid off 25,000*l.*, in 1891 25,000*l.*, and in 1892 25,000*l.*, so it is 25,000*l.* a year.

4043. That is 100,000*l.*?—100,000*l.*

4044. Then the next item you refer to is the Grain Duty. There, again, with regard to Deptford Market, it can hardly be called a separate and exclusive trust, it is connected with the other markets of the City, and is managed by them, as—I will not say *the* market authority which is disputed, but as *a*—market authority for London?—Yes, in that case they draw the tolls from the general Metropolis, and apply it to the debt on the other markets.

4045. That is the proper business of the Corporation, as the governing body of London.

4046. (*Lord Farrer.*) I do not say that they are the proper authority, that is assuming a disputed point, but they receive this money and exercise these powers as a governing authority in London?—As a governing authority in London.

4047. (*Mr. Smith.*) That is an undertaking of the Corporation?—Yes, from which they will derive profit.

4048. (*Mr. Crawford.*) Well, they cannot derive profit until the very large debt on the Islington Market is paid?—Not profit to be applied to their general purposes, no.

4049. (*Lord Farrer.*) As the market authority, they apply the profit from this market to the debts on other markets?

4050. (*Mr. Crawford.*) Well, they are bound to apply the profit as stated in the Contagious Diseases (Animals) Act?—Section 27.

4051. Section 28 really; sub-section 3 says: "All "money received by the mayor, alderman, and com- "mons from charges made by them under this part "of this Act shall (subject to the application thereof "as in this part of this Act directed in payment of "interest on, and in repayment of principal of money "borrowed for, the purposes of this part of this Act) "be applied in repayment of the principal of money "borrowed by them under the Metropolitan Markets "Acts, 1857 and 1865, and subject thereto in dis- "charge of expenses incurred by them in the execu- "tion of this part of this Act." Well, the money borrowed under the Metropolitan Markets Acts, 1857 and 1865, were in connexion with the Islington Market, and there is a very heavy debt upon that.

4052. (*Chairman.*) But you started with the statement that this and the City of London Court were not exclusive trusts?—Quite so.

4053. You started with the statement that those two were not exclusive trusts?—Quite so, were not exclusive trusts; of course, if the Metropolitan Board of Works had carried out the Deptford Cattle Market, the profit revenue from this market would have gone to the general benefit of the ratepayers of the Metropolis; that is to say, if the City of London had failed to do it it would have fallen then to the Metropolitan Board of Works, and the funds would have gone in relief of the rates of the Metropolis.

4054. (*Mr. Holt.*) But I think we understand in this case the surplus money has gone towards reducing the debt on the market. You say 100,000*l.* has been paid during the four years?—Up to the present time the surplus money has been used exclusively for paying off the debt on this particular market.

4055. When that is all solved and paid it will go on then to the Islington Market?—Yes.

4056. (*Mr. Smith.*) It is there hypothecated to the Islington Market, with an ultimate profit to the City?—With an ultimate profit to the City.

4057. (*Chairman.*) The grain duty?—The Grain Duty is levied under the Act of 1872; it is an old revenue of the Corporation. That was a continuing Act.

4058. It is still levied?—It is still levied, and will be levied until 1902, when, under the Act of 1872, it ceases. It is charged, under that Act, with the preservation and maintenance of open spaces in the neighbourhood of London, but not within London.

4059. (*Lord Farrer.*) Not within the area of the Metropolitan Board of Works or of the London County Council?—No.

4060. (*Mr. Crawford.*) As defined by the Metropolis Management Act, 1855?—Yes, quite so.

4061. (*Lord Farrer.*) Then there, again, the Corporation have been acting as practically—what shall I call it—trustees or managers for the benefit of the population of London and its neighbourhood?—No doubt; that is so.

4062. (*Chairman.*) Does that apply to grain brought into London any way—by railways, for example?

4063. (*Mr. Crawford.*) It is brought into the port of London for sale, these are the words?—It is brought into the port of London.

4064. (*Chairman.*) It only applies, then, to water-borne grain?—It only applies to water-borne grain; the revenue from that is set out on page xxix, and the gross amount of duty received, and the charges on that duty for the receivers and inspectors, and so on, are set down.

4065. (*Lord Farrer.*) Is that only grain, or does it include wine and fruit duty?—Oh, that is only grain, as I understand, and the park charges upon that fund are also set down. It is to be noticed that they do, as a matter of fact, pay some small amount for St. Paul's Churchyard, which is within the metropolis. It is only a small thing.

4066. (*Mr. Crawford.*) That is because, you see, they are at liberty, under the Act, to raise a loan not simply upon the security of the proceeds of this grain duty but also on their estates and revenues?—On their estates and funds; quite so.

4067. (*Chairman.*) So far, that is a solvent fund?—Yes, I think it shows itself to be, but then it only meets interest, it does not meet the capital charge.

4068. There was an investment in one year?—There was an investment of 2,530*l.* 6*s.* 11*d.* in the year 1890, but beyond that there have been no other investments made out of the funds.

4069. (*Lord Farrer.*) I do not see any charge for interest?—Charge for interest is the first item under parks and open spaces, 8,015*l.*, at the top of page xxix.

4070. (*Chairman.*) How is that lump sum for Epping Forest; is that a contribution to the expenses of the verderers, or what is it?—Yes; they transferred from this fund to the Epping Forest account this amount every year, and that goes in the payment of charges upon Epping Forest.

4071. (*Mr. Crawford.*) Not the expenses of the verderers, expenses of the conservators?—Yes.

4072. The Corporation are the conservators?

4073. (*Chairman.*) Then there is another fund which has reference to parks and open spaces?—Then there are two small funds—Epping Forest Account, and Ward's People's Recreation Ground.

4074. (*Mr. Crawford.*) I should like to clear up that point for you with regard to the question of

St. Paul's Churchyard—how it is brought in here. That, really, that was taken under an agreement with the Dean and Chapter of St. Paul's under the Corporation of London Open Spaces Act, 1878, and they had statutory power then to charge the grain duty with the cost; that is how it really comes in there.*

4075. (*Lord Farrer.*) A special clause?

4076. (*Mr. Crawford.*) A special clause inserted in that Act?

4077. (*Chairman.*) This Ward's Recreation Ground was some bequest, I suppose; was it?—That, I take it, was some bequest for that particular purpose.

4078. (*Mr. Crawford.*) It is under a scheme of the Court of Chancery?—Yes.

4079. (*Chairman.*) The Corporation has spent more than it has received?—The Corporation has spent more than it has received, the balance being charged on their general estates.

4080. You sum up—that there are seven trust funds now in the hands of the Corporation?—Yes; I give a summary.

4081. With respect to two of which they have a beneficial interest; with respect to the other five they act as bare trustees?—As trustees.

4082. (*Lord Farrer.*) The Grain Duty was, I think, the property of the Corporation before the Act, which was arranged for its ultimate cesser?—I believe it is an old revenue of the Corporation.

4083. Is there a Fruit Duty still?

4084. (*Mr. Crawford.*) That is voluntary?—Voluntary metage.

4085. (*Mr. Holt.*) Does that go in 1902, did you say?—That goes in 1902. Then I would point out that the actual expenditure of the year under these various trusts and statutory funds does not exhaust the effect of these funds upon the general funds of the Corporation, because they are charged with outstanding debt for certain purposes for which the general estates and funds are made collateral security.

4086. (*Chairman.*) Yes?—Then I set forth the principal and interest of the debt paid in the four years under each of these heads.

4087. (*Lord Farrer.*) Are the general assets and funds of the Corporation security for the Gresham Debt?—Yes, I believe the general assets and funds of the Corporation are made security for all these debts.

4088. For all these debts, are they?—Collateral security.

4089. That does mingle them up to a certain extent?—Yes.

4090. (*Chairman.*) The Corporation have become responsible, but the Corporation could not, without the assistance of Parliament at all events, take any benefit under the Gresham Trust?—No, I believe not.

4091. (*Mr. Crawford.*) There is a point, it is only fair to say, in dispute there; the Corporation always regarded this as a trust, the Mercers' Company do not regard it as a trust, and the point is likely to be settled very shortly, because there is an appeal as to the payment of corporate duty; if it is a trust, the Corporation would not be liable for corporate duty, and we have hitherto paid under protest, but that point will be very shortly settled. We have always regarded it as a trust, and throughout our entire accounts you have always seen it treated as a trust?—I have always seen it treated as a trust. The repayment under each of these heads in each year is shown on page xxx, the amount of the Holborn Valley Improvement, repayment and interest; the amount of the Tower Bridge, repayment and interest; amount for the parks and open spaces, only interest; the amount for the Royal Exchange, repayment and interest, including the 4,091*l.* 16*s.* 5*d.* invested as a sinking fund, which I assume to be a sinking fund, last year; and the 25,000*l.* a year for the Deptford Cattle Market repayment, together with the interest. I then proceed to estimate the contingent liability which will fall under each of these trust accounts upon the Corporation estates. I take first the Holborn Valley Improvement loans. I set out the total indebtedness under this Holborn Valley Improvement, which is 482,200*l.*, repayable at various periods, set out on page xxxi up to 1902, with interest within the same period of 107,861*l.* Then I set out the assets of this particular estate, amounting to 95,421*l.* 10*s.* 5*d.*, beyond which are some rents amounting to 3,000*l.* 5*s.* 9*d.* in the year 1892. I then construct the table on page xxxi in order to find out what will be the ultimate debt falling on the estates. Setting out the principal due in the first column, deducting from that or giving credit for the 95,421*l.*, which is an asset of the estate, I then ascertain the unpaid principal that remains, and with that reborrowed at 3 per cent., the interest falling due on that is set out in the fourth column. Then, as against that, I give them credit for the rents, amounting to 3,000*l.* each year, giving them also credit for a small amount of interest on the 95,000*l.* not applied for the redemption of debt, and I work out the unpaid interest at the end of each year, and I reborrow that at 3 per cent., showing in the last column the accumulation of debt each year which would amount at the end of 1902 to 507,245*l.* Then against this would be the assets of the rent-producing property of 3,000*l.*, and as these rents were partly in respect of lands and partly in respect of buildings, I reckon the surplus lands at 28 years' purchase, and the latter at 20, bringing out the capital value of these rents to be 77,813*l.* 9*s.* Deducting that from the 507,245*l.* leaves a net deficit, which is estimated to fall on the estates of the Corporation, of 429,432*l.* for this particular improvement.

4092. (*Chairman.*) What those surplus lands which produce any rent are you do not know?—I have no information. I simply take it from the book and use it in the best way I can, from the information supplied there.

4093. Has there been any produce of the sales of surplus lands in recent years?—Yes, in 1891 and 1892 there was a sale of property, which amounted to 3,250*l.* It is set forth in the table immediately above the loan table. I also give them credit there, it will be observed, for the balance of the coal duty applicable to this particular debt, a small amount of 495*l.* 15*s.* 2*d.*, which I have referred to a little earlier.

4094. On the face of it, there appears to be a sort of accumulating charge?—On the face of it there will be a debt at the end of 1902, unless some other revenues, not known to me, meet the debt, of 429,432*l.*

4095. (*Lord Farrer.*) And that the City will have lost by undertaking this improvement?—And that will fall upon the City estates by undertaking that improvement.

4096. (*Chairman.*) Well, is that more or less than the present valuation of the debt upon that charge, upon that property?—I have not worked that out, but I should think about the same, if you give them credit for the assets.

4097. You cannot tell what the surplus land will produce?—No, of course the question of the valuation of the surplus land is purely an estimate, and it may or may not be realised.

4098. Then you proceed to treat the Tower Bridge?—Then I proceed to treat the Tower Bridge, and I point out that the revenues are sufficient to meet that, and therefore there is no likelihood of the charge for debt on those estates falling on the general estates. Then I have the loans for Parks and Open Spaces, which are 214,000*l.*, repayable at different periods, the last one, in 1898, with interest, amounting to 28,490*l.* in that period; and against this debt the Corporation provided a sinking fund, that is the sinking fund that we have talked about before, of 8,743*l.* 9*s.* 8*d.*, which is invested in Consolidated Stock, and then there is a cash balance in the sinking fund available for investment of

* *See also* Gomme, 6164–5.

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382*l.* 1*s.* 7*d.* The Corporation insert that in their assets as being worth 8,849*l.* 11*s.* 6*d.*, and I have taken that figure. Then there is the grain duty beyond the asset: the Grain Duty is applicable to this particular debt until 1902, when it ceases. I therefore point out that the net yield was from 15,000*l.* to 14,000*l.*, and the charges, exclusive of the loans, were about 6,000*l.* a year. And then I estimate that the balance available for loan purposes from the Grain Duty might be taken roughly at 8,000*l.* a year. Then having got the amount already provided for a sinking fund and the 8,000*l.* a year, which would be the revenue to meet the debt, I construct a table on the same principle as before, showing the amount of principal and interest due in each year. The amount available to meet the principal in the first year is 8,850*l.*, that is the sinking fund, and then 8,000*l.* a year until 1902. It is shown by the last column that an accumulation of debt under this head will fall upon the general estates, in 1902, of 189,370*l.*

4098*a.* The effect will be a reduction of about 25,000*l.* in the total debt?—A reduction of about 25,000*l.*, yes, that is so.

4099. Then the Royal Exchange loans you neglect?—The Royal Exchange loans I neglect, because I assume that the revenue is sufficient for the purpose, although it comes very closely up to it. Then come the loans for the Deptford Cattle Market. The debt outstanding at the end of 1892 was 76,000*l.*, repayable in the five years as set forth, in varying amounts, with the interest due upon the balance outstanding. I give the balance applicable to loans from the Deptford Cattle Market, which in 1889 was 20,690*l.* 5*s.*; in 1890, 27,056*l.* 2*s.* 3*d.*; in 1891, 20,569*l.* 15*s.* 1*d.*; in 1892 it fell to 14,910*l.* 0*s.* 4*d.* only. But there was left in 1892 a cash balance of 8,782*l.* 7*s.* 11*d.*, and I assume that that will give sufficient margin to pay off the remaining loan, even if it is not quite enough margin to pay off the whole of the 25,000*l.* due in 1893. The following year the amount is only 10,000*l.*, and if they have a deficit in one year, they will make it up in the next. But it is important to note that the proceeds of the market seem to be decreasing: in 1889 they were 55,575*l.* 17*s.* 9*d.*; 1890 they were 62,602*l.* 2*s.* 6*d.*; 1891, 57,985*l.* 14*s.* 8*d.*; 1892 they were 51,980*l.* 15*s.* 4*d.*

4100. Is that due to restrictions on the cattle trade?—I cannot say the cause of that, the expenditure seems to slightly rise, so that the former estimate of profits from this market would perhaps not be quite realised. But for the purposes of this stage of the memorandum I take the revenues to be at all events sufficient to meet the loan charge. Then I summarise these facts with reference to the charges for debt on trust and statutory funds and I bring out my estimate to be that the Corporation will be liable for the Holborn Valley debt to the extent of 429,432*l.*, and for the parks and open spaces debt to the extent of 189,370*l.*, giving a total of 618,802*l.*

4101. Then you take these figures up again in estimating the total debt?—In pages xxxiv and xxxv I deal with the total debt; that is the debt falling directly as described in the previous section, and the debt falling indirectly through the trust funds, and they amount together to 859,202*l.* I suggest that this might for the purposes of an estimate be replaced by a loan at the 3 per cent. interest, repayable by annual instalments for 30 years; the annuity to repay this loan would be 43,836*l.** Thirty years seems to be the correct period to take, when you consider the dates at which these loans were raised originally. The Holborn Valley in 1864, the Cattle Market in 1852, and in 1873, the Parks in 1876, the Highgate Woods in 1888, the Leadenhall Market in 1882, and the Lunatic Asylum in 1888. But if a longer period, say 50 years, were taken to repay this loan, an annuity of about 33,000*l.* would be required. Having got that charge for loan, I then estimate the effect of it upon the revenues of the Corporation, using the figures of the four years as the basis of the estimate. I take the net revenues from the estates and funds, exclusive of markets, because I assume that market loans will be met out of market revenue, and then charge the net revenues with the charges borne upon them, and I bring down the minus balance in consequence of those charges. I then deduct from it certain loan charges, which were included in those charges, and therefore should not be included in the new estimated debt charge, and I give them credit for the special expenditure not of annual occurrence, which was described on a previous page, and which may or may not occur again. And after that, after those two amounts are deducted, it gives us the revenue available for debt charges at 18,476*l.* 14*s.* 4*d.* in 1889; 25,129*l.* 8*s.* 4*d.* in 1890; minus 3,171*l.* 16*s.* 5*d.* in 1861; minus 3,739*l.* 11*s.* 10*d.* in 1892, and then deducting the estimated debt charges, show a net deficit in the annual income, if all debt is paid for on this plan, of 25,359*l.* 5*s.* 8*d.* in 1889; 18,706*l.* 11*s.* 8*d.* in 1890; 47,007*l.* 16*s.* 5*d.* in 1891; 40,096*l.* 8*s.* 2*d.* in 1892. Then I turn those experiences of the four years into an average, and the deficit appears to work out at an average of some 32,792*l.* 10*s.* 6*d.* per annum.†

4102. (*Lord Farrer.*) Then that assumes that the revenue will not increase, does it not?—That assumes—well I have made a special note of that to say that the revenue is taken on these same figures, and no account is taken of probable rises in revenues. There is also this to be said which I do not note in the memorandum that the money invested from the City of London Court is also available, but inasmuch as that has been used for current revenue I assume that it would be wanted in the future for current purposes.

* *See also* Gomme, 6165-7.

† *See also* Payne, 7010.

The witness withdrew.

Adjourned till Thursday next at 11 a.m.

ELEVENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 30th November 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER. | MR. HENRY HOMEWOOD CRAWFORD.
MR. ROBERT DURNING HOLT. | MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary.

Mr. G. L. GOMME, Statistical Officer of the London County Council, recalled and further examined.

Mr. G. L. Gomme.

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4103. (*Chairman.*) We had arrived in going through your paper at pages xxxiv and xxxv, I think?—Yes, Sir. We had practically finished what in the explanatory note I have put down as the financial section of the analysis. I divide it under three heads, if you will notice.

4104. Yes, "Financially," "Administratively," and "With reference to Unification?"—And it happens that we had just finished the first section. There were one or two things that you asked me for during the course of last examination that I can now put in. On page xiv, you asked me to give you the amounts which made up the receipts in aid, deducted from the expenditure under the orders of the Court of Common Council.* I can now put that in.

4105. For each of the four years?—That is for each of the four years.

4106. The main item is for schools?—The main item would be for schools.

4107. That is 40,000*l.* on an average?—About 40,000*l.* on an average.

4108. Those are the fees paid at the City of London School and the other schools?—Yes; and the School of Music.

4109. The School of Music?—Yes, and the School of Music.

4110. The next item is the Mayor's Court?—The next most important item is the Mayor's Court, beginning with 9,455*l.* and then going to 7,000*l.* in the last three years.

4111. And the magistracy may be coupled with that?—The magistracy is about 2,000*l.* There are also the rents from the dwellings of the poor.

4112. 5,500*l.* or thereabouts?—5,500*l.*

4113. And receipts from parks and open spaces?—And receipts from parks and open spaces.

4114. What is the nature of these receipts?—They have principally to do with Epping Forest, I believe, rents in respect of West Ham Park amounting to 245*l.* 11*s.* Then there are some small fees, sale of guide books to Bunhill Fields Burying Ground, which is a receipt from an open space. Then there are some receipts for licences on Coulsdon Commons, amounting to 2*l.* 10*s.* 6*d.* This is in the year 1892. Then the Epping Forest account shows a receipt for rents amounting to 456*l.* 10*s.*; licences, 292*l.* 5*s.* 9*d.*; sale of thinnings, 630*l.* 4*s.* 4*d.*; receipts for marking cattle, 90*l.* 11*s.* 6*d.*; and rent charges, 10*l.* 0*s.* 8*d.*

4115. Epping Forest is the main source of revenue?—Epping Forest is the main source of revenue. In all the other years the entries corresponding to those are put as receipts in aid of parks.

4116. (*Lord Farrer.*) Is this what you were giving—the analysis of the receipts in aid?—Yes.

4117. (*Chairman.*) The other items appear to be rather immaterial. The Monument appears to bring in about 800*l.* a year. Have you something else?—Then you asked for a statement as to the dates when the loans were renewed.†

4118. Yes?—That is easily obtainable from the City figures, and I have drawn up a statement to show on what dates each loan was repayable, and not being paid was then renewed. I think it works out that they are generally renewed about every 10 years.

4119. The City would lie under an obligation to pay off or renew a certain sum almost every year?—Yes, that is so.

4120. (*Lord Farrer.*) To pay off with power of renewal?—With power of renewal.

4121. (*Chairman.*) Or fresh borrowing?—The actual amount so payable in the years after 1892 are set forth on pages 42 and 43 of this statement. The totals will be given on pages 44 and 45.

4122. What are the figures to which you refer on pages 42 and 43?—On pages 44 and 45 you have the totals; it begins on 42 and 43, the total amounts payable.

4123. The Arabic 42?—Yes, quite so and on pages 44 and 45 you get the total amounts payable, at the bottom of the page, in each year. The first column is a little blurred in printing; it is 452,400*l.*

4124. The next is 341,600*l.*?—The next is 341,600*l.*; the next is 162,500*l.*; and the next is 470,200*l.*

4125. There is a very considerable sum in 1898 apparently?—In 1898, yes; it is 948,400*l.* The principal item of that being for the central markets.

4126. Have you any other figures to hand in?—There was just one small point on page xiii. I said I would try and identify the source from which I got the words of the paragraph there, "Pensions to widows and orphans of deceased aldermen."*

4127. Yes?—Mr. Crawford corrected me on that. I have looked through the two previous Commissions; although I cannot identify those particular words, yet in the Commission of 1854 Mr. Acland gave evidence in answer to Question 196, which appeared to be confirmed by Mr. Scott's evidence, that this fund was then at all events for the widows and orphans of deceased aldermen, and Mr. Acland mentions cases where they were granted small sums. But still I have not been able to find the exact passage from which I believe I quoted.

4128. (*Mr. Crawford.*) My question had reference to more modern times?—Yes, more modern times.

4129. Whether you had been able to trace any payment of pensions to widows and orphans of aldermen?—Quite so.

4130. (*Chairman.*) Going on with your evidence then?

4131. (*Mr. Crawford.*) Mr. Chairman, might it be convenient for those to appear upon our notes?

4132. (*Chairman.*) Oh, certainly; they are appendices to this book.

4133. (*Mr. Crawford.*) No, I think they are simply matter got up by Mr. Gomme?—In any way that you prefer to do it, they can either go on the notes or be entered in this book.

* *Inserted in Statement, see* Gomme, 3738, 6160–1.
† *Embodied in Statement,* pp. 47–9, *see* Gomme, 3802, 6170–1.

* *See* Gomme, 3747–50.

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4134. (*Chairman.*) Well, they will be handed in as supplementary to this book?—Yes.

4135. (*Mr. Crawford.*) They are the clearing up of certain questions put by you, Mr. Chairman, to the witness.

4136. (*Chairman.*) It will be on the notes that they are handed in, but they will be as appendices to this book?—There will be one or two corrections to make before finally printing, and they may very well be added if you so wish it.

4137. (*Lord Farrer.*) You will add these to your paper?—Yes.

4138. (*Chairman.*) There will be a reference to it on the notes?—Yes.

4139. Well, the next point of your work is to classify the annual expenditure?—Yes, on page xxxvi. On page xxxvi I begin the next section of my examination of the accounts, and classify them in order to get at the figures from an administrative point of view, quite regardless of whether the money is obtained from the Corporation general estates or from trust property. In fact, putting on one side the sources of revenue and simply taking the expenditure as that of one administrative body. Inasmuch as some of this expenditure is quite exceptional and not really incidental to the year, it has to be divided into, as I have put it here, five classes. First of all, "Exceptional expenditure"; secondly, "Expenditure on account of undertakings the debt of which is charged upon the "general estates"; then "Expenditure by remunerative undertakings," then "Expenditure met by its own earnings," and then "Expenditure ultimately "falling upon the general revenues and properties "of the corporation"; the total expenditure, I may say then, agreeing with the figures brought out on pages 36 and 38. The exceptional expenditure I have set out in a table by itself, the first item being payments out of accrued balances or special funds. For instance, the very large sum of 238,275*l.* 8*s.* 11*d.* was paid in 1889 on account of Kew and other bridges, but then that was out of the Coal and Wine Duties which had been specially reserved and therefore that could not be considered an item of expenditure for that particular year. Similarly with the Holborn Valley Improvement, sums have been paid off out of the Coal and Wine Duties and out of the estates of the Holborn Valley Improvement simply because those moneys had accrued for that purpose, and therefore they could not be considered as ordinary expenditure of the year. And the same remark applies to the small sums on the Clerkenwell Improvement. And then I bring forward what I have previously classified as the exceptional expenditure on page vi which we dealt with on the previous day. That is to say, exceptional expenditure which under other circumstance might have been met out of loan capital instead of out of revenue.

4140. (*Lord Farrer.*) Capital expenditure in fact?—Yes, capital expenditure. That makes a total of what I have considered to be exceptional expenditure which should not affect any result brought out by each of the years, amounting in 1889 to 492,600*l.* 11*s.* 8*d.*; 1890, 119,228*l.* 19*s.* 4*d.*; 1891, 72,139*l.* 0*s.* 1*d.*; and in 1892, 117,148*l.* 8*s.* 1*d.*

4141. (*Chairman.*) The greater part of that is clearly abnormal and could not be expected to recur?—Absolutely so.

4142. But some portion of it might be expected to recur every year, although it may be extraordinary in the particular year in which this arises?—There is no doubt that all the items under head number two, if they were not met out of capital might very readily be considered to recur under one head or another, if it is not one thing it may be another.

4143. Either for the specific charges or for keeping up some fund out of which those should be met?—Quite so; but still, for the purposes of the estimates that I bring out, I have wanted to err rather on the side of safety and I have put that in rather in that way. Then the next class is the loan expenditure on account of undertakings charged upon the estates. That is given upon page vii, which, again, we have already dealt with. Those were loans falling on the general estates, the income under the special heads being insufficient.

4144. (*Lord Farrer.*) The debt charged on the general estates; you say that the income is insufficient there to meet it?—The income is insufficient for the special heads. For instance, Leadenhall Market does not pay for its Approach; the Holborn Valley Improvement, the funds were not sufficient in those three years for that purpose so it had to fall on the General Estates. And the Grain Duty was not sufficient to supply a sinking fund, so in two years it had to fall as a charge upon the General Estates. Then under Class *c.* I put remunerative undertakings, which are the markets, and the expenditure set forth in each of these years is given in pages named in the memorandum. Page 5, column 26, gives the total expenditure of all the markets, namely, 215,848*l.* 3*s.* 9*d.*, and the figures the next year are given in page 13.

4145. (*Chairman.*) Those four years?—Those are what I have classified as expenditure in respect of remunerative undertakings. Then Class *d.*

4146. (*Mr. Crawford.*) Before you pass to Class *d.* would you mind turning to page v, and tell me why it is you do not carry Market profits to the receipts of the general estates and funds? You see you separate the two; if you look at the table at the top of the page you see the receipts from General Estates and funds?—Yes.

4147. Now you have told us that the Markets form part of the revenue of the Corporation; why then do you not carry the market profits which are mentioned below, 4,067*l.* 9*s.* 8*d.* for 1889, 12,533*l.* 0*s.* 11*d.* for 1890; 14,546*l.* 5*s.* 2*d.* for 1891; and 10,056*l.* 6*s.* 8*d.* for 1892, why do you not carry those up as part of the receipts from General Estates and Funds?—Because I have considered that the Market debt is not being paid off, and that that money is primarily charged with that debt.

4148. Except that you know that the revenues and the estates of the Corporation form part of the security for the Market debts?—They form collateral security, yes, but the Market revenue—the market profits—form the first security and it seemed to me as an accountant that that was the proper way to do it.

4149. That is your explanation?—Yes. Then in Class *d.* I have got what I call, by an expression of my own, I think—expenditure met by its own earnings, that is to say, that portion of the expenditure which earns receipts in aid, for instance, Dwellings of the Poor. It is true that the Corporation spend a large sum of money for that, but then it earns its rents, and therefore it comes under a different category to that expenditure which earns nothing.

4150. (*Chairman.*) It does not earn enough, does it?—It does not earn enough, but a portion of the expenditure was met by the earnings.

4151. (*Lord Farrer.*) How does that differ in principle from the expenditure on remunerative undertakings?—Well, it is not wholly remunerative, it is only partially so. That is to say, that there is always a balance which falls upon the General Estates of the Corporation.

4152. (*Chairman.*) "Met" is a little misleading perhaps?—I think perhaps "partly met," and yet of course the meaning is clear that the whole of that 68,513*l.* 1*s.* 7*d.* has been met by earnings or receipts in aid. It would be put in this way, that the total expenditure of the Corporation for that year would have been the two sums together; 68,513*l.* 1*s.* 7*d.* was met by receipts in aid under the several heads, and the balance, 233,158*l.*, was the amount that fell upon the estates without any receipts to aid it.*

4153. I see, in fact, you have separated Schools into two parts, for example?—Quite so.

4154. You put in the Number 1 table such of the schools as the school expenses and the school fees provided for?—That is so.

* *See also* Gomme, 6167.

4155. In Number 2 the surplus ?—That is so.

4156. (*Lord Farrer.*) The Lunatics in the same way?—Yes.

4157. (*Mr. Crawford.*) Parks and Open Spaces: that would have to be carried to a special fund—the Metage on Grain Fund?—In what way; I have already explained that I am now letting go the previous——

4158. I understand you are not distinguishing between the two?—I am not distinguishing between the two classes of expenditure—that met out of trust funds and that out of general estates.

4159. To use a well-known phrase now, you really have amalgamated them?—I have amalgamated them.

4160. (*Chairman.*) And then you come to the total ordinary expenditure by clearing out these extraordinary items?—Yes, by that process I then come to the total annual expenditure for all purposes which can be regarded as ordinary current expenditure. It was important to get that out as far as one could, and the figures after eliminating the exceptional expenditure ——

4161. (*Lord Farrer.*) That is eliminating those that come under?—Under *a.* and under *b.*

4162. (*Chairman.*) Under *b.*?—Which for the present is not ordinary expenditure, that is, expenditure that falls upon the estates as collateral security. Then we get the three items, remunerative undertakings, expenditure met by its own earnings, expenditure falling upon the revenues and properties as the ordinary current expenditure, which might be considered to be the normal expenditure of the Corporation, amounting in 1889 to 233,158*l.* 14*s.*; in 1890 to 239,485*l.* 1*s.* 11*d.*; in 1891 to 252,151*l.* 0*s.* 2*d.*; in 1892 to 248,563*l.* 3*s.* 11*d.*

4163. Does not that include the cost of collection?—No; well it does virtually include the cost of collection, because in dealing with this figure afterwards I take the net proceeds from the estates and revenues and not the gross.

4164. To set against it?—The cost of collection and management is put in there for the purpose of arriving at the arithmetical total and making that correct, but it does not come into consideration afterwards. Of course, for simplicity's sake, I take the net and not the gross.

4165. (*Lord Farrer.*) You keep it out of both sides?—I keep it out of both sides.

4166. (*Mr. Crawford.*) Then it would be better, would it not, to act on the chairman's suggestion, and call it expenditure partly met. I think it is a little misleading if you put expenditure met, because it is perfectly clear it could not be met. Take Petroleum for instance. You give simply receipts there, in 1890, 1*l.* 5*s.*; in 1891, 2*l.* 5*s.* Well, of course, the accounts show you that the inspector's salaries are considerably in excess of anything of that kind?—Oh, yes, but even a portion of the Petroleum expenses, namely, amounting to 1*l.* 5*s.*, was met by Petroleum earnings.

4167. (*Lord Farrer.*) It is the portion of the expenditure met by its own earnings; that is what it really means.

4168. (*Mr. Crawford.*) Then it should be "partly met by its own earnings!"

4169. (*Chairman.*) That might imply that you have got receipts only for a portion of this. It is really expenditure so far as it is met?—You want the qualifying adjective to "expenditure" rather than a qualification elsewhere.

4170. (*Mr. Crawford.*) You must qualify it.

4171. (*Lord Farrer.*) You want to qualify the "expenditure" rather than the "met"?—That is so.

4172. (*Chairman.*) Expenditure so far as it is met. You consider that a proper accounting, to deduct the cost of collection on both sides?—I did, of course, for simplicity's sake only; in preparing this memorandum for the Council's Committee, but I can quite conceive that it might be best for some reasons to include it on both sides.

4173. The result would be the same?—The result would be the same.

4174. The national expenditure and income used to be treated in that way; they deducted cost of collection from customs and other receipts, but it was deliberately changed about 30 years ago?—Yes.

4175. So that the expenditure on the cost of collection should always appear on the debit side?—Of course; but I prepared this memorandum originally for the Committee of the Council and not for this Commission, so that I did it in the way that was most convenient, so to speak, for the Council's observation rather than for anyone else.

4176. Well, you start with that explanation; with a total expenditure rising every year?—Yes.

4177. From 517,519*l.* 19*s.* 4*d.* to 547,651*l.* 7*s.* 2*d.*?—That is so. There is one slight observation I would make upon that, and that is that the Royal Exchange figure, which in 1892 you see amounts to 3,440*l.* 5*s.* 4*d.* as against 7,063*l.* 0*s.* 10*d.* in 1891, that is omitting an investment which I assumed to be for a sinking fund. I have dealt with that in another way later on, but I think for the purpose of this memorandum finally it should be inserted in this place; it will not make any difference to the final consideration. I mention it here because I think on revision it would be better to put it in this table.*

4178. You have not made any attempt to classify the expenditure into what we may call inevitable and optional?—No, except so far as the analysis does that. I have a group of expenditure in each year of what I have called optional, but then that might be extended according to the opinions of anybody who happened to be examining it. This was my opinion, but it might very well be different from anybody else's opinion.

4179. (*Mr. Crawford.*) What page is that, Mr. Gomme?—Take 1892 for instance, on page 32. In each year of the analysis I have a class called Optional Purposes; you will see there that the annual revenue that was available for these Optional Purposes in that year was a balance of 3,949*l.* 14*s.* 2*d.* from Markets, and then it was applied to the Library, Museum, and Art Gallery. I call the Library optional because the Corporation pay for it, and there is the Free Libraries Act, which I suppose might be available for the City if they chose to adopt it, and therefore I call the library optional.

4180. Why do you call schools optional?—Because I take it that the City could increase the fees, and, in fact, in their own report on the reserve fund, Mr. Hicks' report, they suggest that the fees of the schools should be made sufficiently large to cover expenditure; and therefore the fact that a portion of the expenditure of the schools falls upon City estates must be at the option of the Corporation.

4181. I do not know whether you meant by that phrase that they were not bound to keep up the schools?—No, it is with regard to the expenditure only—I am not dealing with their statutory powers in that.

4182. (*Mr. Smith.*) They are not bound to keep up the schools on the scale on which they are now maintained?—Whether that is so or not, I take it that they are not bound to make a loss by the schools every year, so that a certain charge should fall on the Corporation estates.

4183. It can scarcely be a trust involving a perpetual loss?—Quite so.

4184. (*Mr. Crawford.*) I think there is a trust of that character in connexion with Ward's School. It is under a scheme in Chancery, and they could only take over the school by finding and giving the ground. That entails, and will always entail, an annual loss to the Corporation, and, in fact, the amount left is clearly insufficient to maintain the school.

* *See also* Gomme, 6167.

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4185. (*Mr. Smith.*) A gift is a gift, as they have given the land they have done with it.

4186. (*Mr. Crawford.*) Perfectly true; but it might have been turned to other uses. With regard to the City of London School, that is regulated by Act of Parliament; they are bound to maintain the City of London School.

4187. (*Mr Smith.*) But they are not bound to maintain it at a loss?

4188. (*Mr. Crawford.*) Not necessarily at a loss.

4189. (*Lord Farrer.*) But where a corporation has such a large licence in the use of its funds as the City of London have, it is difficult to distinguish between what is optional and what is not?—Extremely difficult.

4190. Unless it had been for this paragraph in Mr. Hicks' report on page 19, where it says: "The "committee urged that the school committee should "consider whether some steps should not be taken, "either by raising the scale of charges for pupils, or "otherwise, so as to render the school more nearly "self supporting without lowering the character of "the education now afforded."

4191. The whole of that paragraph, if I remember right, is founded very much upon the notion, I daresay an extremely well-founded notion, that the City deserved very great credit for having applied so much of their estates optionally to purposes of general public utility?—Quite so, perfectly; that refers to this expenditure.

4192. Therefore it is very difficult to say if they claimed credit for having done it optionally, that that expenditure is not optional?—Quite so.

4193. (*Mr. Crawford.*) I do not know whether you are aware, Mr. Gomme, as a matter of fact, that an endeavour was recently made to increase the fees, which was outvoted by a considerable majority?—I do not know that, but as an old pupil of the City of London School I happen to follow the history of the school very well, but I did not hear of that.

4194. (*Mr. Smith.*) With regard to both tables seven and eight, there is, as you say there must be, considerable discretion given to the compiler, because I am not at all suggesting that it is, but those expenses of the mayoralty might be considered excessive or not, as the case may be, 17,622*l.* 9*s.* 8*d.* Some of them might be considered by some people, optional expenditure?—Oh, exactly, that is perfectly so, but the mayoralty being an old institution, I have left it a civic expenditure unqualified.

4195. I quite understand it.

4196. (*Chairman.*) It must give the quality of inelasticity to the expenditure?—Quite so.

4197. (*Lord Farrer.*) It is like the expenditure of the London County Council upon bands in the parks.

4198. (*Mr. Smith.*) You have no limit in your statutes.

4199. (*Lord Farrer.*) No.

4200. (*Mr. Smith.*) You have music wherever you go.

4201. (*Chairman.*) Then you proceed to make a very important division of the total expenditure?—Yes, I proceed to do that on page xxxviii.

4202. Between civic and county purposes, will you explain that?—For the purposes of the Committee of the Council it was necessary to attempt some classification of the expenditure between the City and the County and on minute examination it appeared that there were certainly three classes of City expenditure, that relating to Local City purposes pure and simple, that relating to County purposes, and that relating to general purposes. The expenditure for Local City purposes only would consist of those items whose range of utility does not go beyond the City area and of such administrative expenditure necessary to the management of the City estates and the support of the mayoralty and City functions. Then the expenditure for County purposes I have considered would be those services concurrent with services performed by the County Council or for services of the same nature as existing County Council services. And then the expenditure for general purposes I have considered would be those items whose range of utility goes beyond the City area and yet are not exactly County Council purposes, or whose funds are drawn from the larger area beyond the City. Then for the purposes of reducing this minute classification to broad principles between the City and County, I have considered that the general purposes might very fairly be grouped under County, and that reduces us to the two classes of City and County purposes; that is the method of reasoning that I went through in order to arrive at the two distinct classes.

4203. The first class referred to expenditure which would still be left to the City in the event of the City becoming a division of a unified County?—I would not say that. That is not my reason for so classifying the expenditure at this stage. In the first instance I wanted to get at what the expenditure of the City for City purposes as it at present exists really was without regard to what it should be. For instance, your remark would suggest that the mayoralty should remain for the City alone.

4204. Quite so. Yes, the items might be altered in character and arrangement, but those items do refer in your analysis to the City specially?—To the City specially as it at present stands.

4205. (*Lord Farrer.*) Then, again, take such an item as the establishment expenses, the City, especially the Common Council, as distinguished from the Commissioners of Sewers, do a great deal of work for London outside the City, such, for instance, as work connected with markets, open spaces, and bridges?—Quite so.

4206. Well in that case a portion of the present establishment expenses would be attributable, would they not, to those functions?—Scarcely so, because the establishment expenses here named are credited with moneys applicable to the special subjects throughout the City's account. They are very careful to do that; in every case they charge so much of the establishment expenses for markets and so on.

4207. That is charged specially to the market account?—That is charged specially to the market account.

4208. And these are the establishment expenses of the City as the government of the City, pure and simple?—Yes, for all purposes, that is to say, there are very many purposes which fall ultimately under the head of establishment charges; I could give you the details of those if it was required.

4209. (*Mr. Crawford.*) It might be well to have those details?—I am not sure that I could give them to you actually now, but a little later I could specify them. I have them roughly here, but in order to put it in, if that were thought desirable, I should like to——*

4210. Take one year for example, Mr. Gomme?—Take one year.

4211. 1892, the Commissioners have the accounts before them?—1892; there were the general officers' expenses on page 51 of the City accounts, officers, the town clerks establishment account, 7,298*l.* 14*s.* 4*d.*

4212. (*Lord Farrer.*) What is the account?—You will see sundry officers' establishment account, proportion of the salary of the Town Clerk, proportion of the salaries of the clerks and messengers in the Town Cerk's office.

4213. And then this sum of 3,021*l.* forms part of the establishment expenses, does it?—Yes; in fact the whole figure, 7,298*l.* 14*s.* 4*d.*

4214. (*Mr. Crawford.*) The whole of that would be included in the 34,341*l.*?—Yes.

4215. (*Mr. Smith.*) But the important thing to remember, I understand you to say, is that this is a classification of the *status quo*?—Of the *status quo.*

4216. It is not suggested as a basis for future division?—Certainly not; it is entirely as it at present stands from the point of view that I have mentioned.

* *See also* Gomme, 6167.

4217. (*Lord Farrer.*) Then what I wanted to get at was whether as matter of fact the whole of these establishment expenses is really payment for the purposes of government within the area of the City?—I believe without minute examination that the whole of that is for establishments within the City.

4218. Within the City?—Yes, of course it is extremely difficult to analyse some of that—the hall keeper——

4219. And the same thing will be true of the mayoralty, and the same thing will be true of state and civic purposes?—Entirely so.

4220. Well then, with regard to the Mayor's Court and the City of London Court—that is with reference to the state of things as it exists?—As it exists, entirely, yes. Of course the law and parliamentary expenses may not be wholly for the City; but I have no means of further analysing those, and they are simply as I find them in the accounts.

4221. (*Mr. Crawford.*) But the item 11,626*l.* is shown in the accounts, is it not? It is made up of several items?—It is made up of several items.

4222. Which are clearly set out in the accounts. It may be a matter of time to discover them. There is no difficulty, is there?—Sometimes it is set out very clearly; at other times it is not quite so clear. I do not bear in my memory this particular case.

4223. Well, I only wanted to know this, whether in this item, 7,626*l.*, you would include costs of prosecutions inside the City which are undertaken by the City, which outside the City would be undertaken by the public prosecutor?—If you excuse me one moment, I will find the item, and tell you where I take it from. The largest part of that is made up of expenses in relation to the supply of gas and water to the citizens.

4224. That is parliamentary properly?—That is parliamentary—4,703*l.*—that would be presumably for the City of London only.

4225. (*Mr. Smith.*) Well, to some extent did not the City of London—perhaps Mr. Crawford will tell us—by arrangement with the County Council promote some Bill, or conduct some opposition?

4226. (*Mr. Crawford.*) Certain expenses which fell on the City, although the result of the joint action could not have fallen on the County Council.

4227. (*Mr. Smith.*) I have a recollection of that. I think you opposed my Water Bill in the interests of London generally?

4228. (*Mr. Crawford.*) We had special reason for it. I am very sorry we did not carry out the original idea.

4229. (*Mr. Smith.*) I think you were quite right?—The County Council paid its share of the proportion falling on the general county, and this was the proportion for the City.

4230. I rather thought the City, perhaps I am wrong, bore rather the lion's share of the expenditure, for some reason or another.

4231. (*Lord Farrer.*) They bore the original expense to a certain point, and after a certain agreement the County Council shared it, and there was a dispute between them as to whether the agreement extended back to the items incurred before.

4232. (*Mr. Crawford.*) It was so, upon the interpretation of the Statute. But I know we felt at the time that we were a little hardly done by. However, you have explained that, Mr. Gomme, thank you.

4233. (*Mr. Smith.*) Practically this is interesting more as an explanation of the old accounts than as having any practical bearing on our work?—That is so, entirely. Then on page xxxix I set out underneath each head the services which seemed to be concurrent with those of the County Council. Those of a similar nature, and those whose range of influence is beyond the City area.

4234. (*Mr. Crawford.*) Take sheriffs; how do you explain that?—Well, there are the sheriffs of the county and the sheriffs of the City of London.

4235. Yes; but the sheriff of the county of London has not anything like the expense of a sheriff of the county of the City of London?—That may be so. I am simply taking the services now without regard to the amounts under each respective head.

4236. (*Lord Farrer.*) This is not for the purpose of comparing the expenditure with the other?—Not at all.

4237. Simply stating what, as a matter of fact, is the case at present?—What, as a matter of fact, is the case at present. For instance, the City has expenditure on criminal justice, and so has the Council; for this there are two concurrent services within the City and within the county. They may be properly divided; but it is a fact that they are divided.

4238. (*Mr. Crawford.*) Then, magistracy; what amount would fall upon the London County Council in connexion with the magistracy?—The County Council's expenses in connexion with the magistracy are very heavy. I cannot give you the exact figure. But there again the County Council has to meet the expenses of the magistracy——

4239. (*Chairman.*) Except that the nation at large pays the Metropolitan magistracy?—For certain expenses. But there are all the expenses transferred from the county justices to the Council.

4240. (*Mr. Crawford.*) That would be the chairman's salary, would it not—the chairman of quarter sessions and clerk of the peace probably.

4241. (*Lord Farrer.*) And the expenses of certain buildings?

4242. (*Mr. Crawford.*) But not what we call magistracy, would it?—It struck me that the term was hardly a correct one to use—magistracy.

4243. (*Lord Farrer.*) Did you mean by "magistracy" simply the aldermen and their judicial functions as magistrates, or did you mean to include the expenses of quarter sessions?—Not the expenses of quarter sessions—the expenses——

4244. (*Chairman.*) Of the police courts within the City?—No, not the expenses of the police courts within the City; the expenses of the City Corporation as magistrates.

4245. (*Mr. Crawford.*) That would include the expenses of police courts, surely?—It would not include the expenses of the Mayor's Court.

4246. But that is not magistracy?

4247. (*Chairman.*) The Guildhall and the Lord Mayor's Court—those are the two police courts?—Yes. The Guildhall it would include—yes.

4248. (*Lord Farrer.*) There is a question going on, whether the expense of the police courts of the Metropolis should not be defrayed out of the county fund?—This is so. It is a peculiarity of London that the Metropolitan police courts are not actually paid for.

4249. (*Mr. Smith.*) It is one of the many peculiarities?—You may say one of the many peculiarities.

4250. In ordinary boroughs, all the expense falls on the borough rates?—Yes.

4251. (*Lord Farrer.*) I think there is a preceding question—the Treasury have asked that the police courts expenses shall be borne by the county fund?—That is so.

4252. And there is a question going on, whether there are not considerable *per contras* to be considered before that question can be settled?—I think so.

4253. (*Mr. Crawford.*) I think there is a joint committee of inquiry on that subject?—Yes, but although police courts expenses in the Metropolis are nominally paid for by the Government, still it comes back upon London in another shape; and therefore it is perfectly consistent for the purpose of this memorandum to put the entire expense of the magistracy of the City as a concurrent county purpose with that of the rest of London.

4254. (*Chairman.*) Outside the City it will certainly have to come back, if it does not come back already?—Yes.

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4255. (*Lord Farrer.*) Is there any expense now connected with the police courts thrown upon the county funds?—Well, not directly. But the police courts have all the fees of the courts; and there are various other considerations that the Committee of the Council are now considering with reference to it that makes it certain that it is not altogether paid for by the Government. You cannot say that entirely.

4256. (*Lord Farrer.*) "Prison and other county pensions,"—those are expenses that would have fallen on the county; has the County Council any expenses of that sort?—Oh, yes; oh, certainly we pay the prison pensions. Then the next class was one I have called of a "similar nature." For instance, the County Council has expenses for bridges, and so has the City; the County Council has expenses for parks and open spaces, and so has the City. Then the third class is that whose range of influence is beyond the City area. There are the markets, the revenues from which are paid by consumers all over London without regard to their location in the City. The market approaches are put in to go with the markets. And then there is the Port of London.

4257. Is that the sanitation?—These are the sanitary purposes which affect the Thames generally. And then there is education. Those four schools do not apply only to the City freemen or to the City purposes generally, but scholars attend from all round; they are very glad to attend. And the library, museum, and the art gallery. The library is free, and so on, and is of general value to London. And then there is the Royal Exchange, which is also not peculiar to the City more than to the general area of London. Then we take the net result of this division of the expenditure, and it appears about 74 per cent. of the present expenditure of the City is really for what might roughly be considered as county purposes.

4258. That is including the last three, i., ii., and iii.?—i., ii., and iii., yes.

4259. Including *b.*?—Including all under class *b.*

4260. (*Mr. Crawford.*) You use the expression, "for which there is dual management." Now, what have the London County Council got to do with markets?—"Dual management" would only partially apply to markets. The Council has a great deal to do with the question of markets.

4261. As to inquiry?—As to inquiry.

4262. You say "dual management." At the present moment they have not anything to do with the markets?—At the present moment they have not anything to do with the markets, no.

4263. Take the port of London. What would they have to do with the port of London?—They would have nothing to do with the port of London.

4264. (*Chairman.*) It applies to the Nos. i. and ii.?—It applies practically to Nos. i. and ii. Then the next section, which was also prepared for the purpose of the County Council Committee, was an endeavour to arrive at something like an estimate of the financial effect of unification;* and I provisionally considered it under two heads—the transfer of county services as set out in table *b.* of the preceding page, and the complete transfer.

4265. (*Mr. Crawford.*) May we take it that the deductions which appear here, are your deductions, or deductions adopted by the committee for whom this was prepared?—Well, they are deductions which I placed before the committee, and the committee criticised them, and so on; they have not formally adopted them.

4266. As a matter of fact, apparently, before being put in here as part of this statement. They do not see any reason to disagree with them?—I have not heard that the committee do disagree; but, on the other hand, they have not formally adopted the memorandum. The committee received this as the report of their official, and criticised it.

4267. And authorised its being placed before the Commission?—And authorised its being placed before the Commission.

4268. Therefore they do not object to it?

4269. (*Chairman.*) Are those figures the same as you have given us before;—Those figures are using the net figures only; having arrived at the net figures, I used the net figures throughout.

4270. (*Lord Farrer.*) And when you speak of county services you mean all that are under *b.* on page xxxix?—Quite so; and when I say City purposes, I mean all under *a.*

4271. (*Chairman.*) There is a small difference between the totals in two cases of expenditure and the revenue meeting it for civic purposes; what is the meaning of that?—Where is that?

4272. 128,039*l.* 18*s.* 4*d.* is exactly met. The next sum is about 40*l.* different, the next sum 20*l.* exactly different, and the fourth sum exactly met?—Yes. There that is a printer's error; that must be so. I have not detected it. I should have done so. It is a mistake that I will correct for the final proof.*

4273. (*Lord Farrer.*) They are meant to be precisely the same?—Oh, certainly.

4274. (*Chairman.*) And you have taken so much of the revenue of the City as is necessary to meet this expenditure?—Yes; the way that I have done that is, those being the civic services, I have then taken that portion of the civic services which fell upon the general estates and civic funds, and that portion which fell on the funds and receipts in aid without regard to whether there is a deficit or not. I have simply taken it as it stands.

4275. (*Lord Farrer.*) Having the expenditure you then take the receipts in aid, and add to that so much out of the general estates and funds as is necessary to make up the difference?—Yes, and also the same class of City receipts that correspond to the class of City purposes.

4276. (*Chairman.*) But you ascertain what the corresponding receipts would be, and then you make up the difference?—Make up the difference—yes. Then I classify the county in the same way, showing how that expenditure is met at present—under what heads of receipts—there being Bridge House Estates, to meet a portion; the Grain Duty to meet another portion; Gresham Estate another portion; revenues from Ward's Recreation Ground Fund to meet another; and the General Estates and Funds to meet another portion. The Market Rents and Dues—I have taken that at the same as the expenditure, because, as I previously explained, the balance of the market rents and dues being applicable to loans, I have only considered that portion of the receipts which actually meets the expenditure, and then the balance is the fees and other receipts. That is an approximate estimate of the way in which these two classes of expenditure are now met.

4277. (*Lord Farrer.*) You mean that if this class of duty was thrown upon the County Council with the special revenues appropriated to those purposes, the County Council would have to raise this sum out of the rates in order to enable them to discharge those duties?—Yes, and unless they obtained also the same amount from the general estates and funds, as is now applicable to those purposes.

4278. Then, without assistance from the general estates and funds, they would have to raise that amount out of the rates?—Without assistance; that is so.

4279. That is, always assuming the division of duties that you have made?—Assuming that division, it would amount to that. I then pass on to the final estimate.

4280. (*Mr. Smith.*) Before that, you have not noticed one paragraph which, I think, is important. You say, in addition to throwing the expenditure on the County Council, it would leave the Corporation

* *See also* Payne, 7012, sqq.

* *See also* Gomme, 6167–8.

with an annual revenue of, say, 50,000*l.* to 60,000*l.* in addition to the amount required for City purposes?—Yes, that is so. That is to say, if, taking over that expenditure, the County Council did not receive in 1889 the 49,175*l.* 13*s.*, and the 49,834*l.* 11*s.* 7*d.*, and the 53,200*l.* 17*s.* 10*d.*, and the 55,412*l.* 0*s.* 5*d.*, which is necessary to meet that expenditure, that would remain in the hands of the Corporation, and at the same time it would have no expenditure attachable to that portion of revenue.

4281. But you would have that revenue allocated to no particular purpose in addition to the amount already had?—That is so.

4282. (*Mr. Crawford.*) At the same time assuming that the markets were not to be so productive, you really would be interfering, would you not, with an important part of the security of the market bondholders?—If the market revenues were not sufficient to meet the market debt, of course that would be the effect, but all throughout the memorandum I have assumed, probably rather sanguinely, that they would be sufficient.

4283. (*Mr. Smith.*) You could always make the rates of the Metropolis applicable to any liability that was required on that, could you not?—Not if the markets were still in the hands of the City. I understood that that was the question.

4284. (*Mr. Crawford.*) But the accounts show, Mr. Gomme, do they not, that within the last two years, as far as regards two of the markets, there has been rather a decrease owing to the foot-and-mouth disease and other matters?—There has been a decrease.

4285. A considerable decrease?—There has been a decrease in the Deptford receipts—I do not know the cause. Of course, my answer to your question, Mr. Crawford, assumed that the market would be taken out of my classification and put back into the City. At present I am assuming that it is in the county. Of course, if there was any deficiency then, it would have to be met out of the rate.

4286. (*Mr. Smith.*) That is what I meant. You would be able to make the bondholders quite secure by charging the deficiency on the rates of the whole area?—Perhaps so. My answer to Mr. Crawford was on the assumption he put to me that it was put back.

4287. (*Mr. Crawford.*) That might mean an increase of taxation?—That would be so.

4288. (*Chairman.*) There is no risk of the security of the bondholders. The rates would be as good as the City estates?—Yes.

4289. I thought so, but the question might be raised if such a necessity arose for them being on the rates, whether, they being in relief of a charge now raised contingently, it lies on the City estate without some contribution to meet that possible charge?—Yes, the question might undoubtedly arise.

4290. (*Mr. Crawford.*) The bondholders might not object, but I am afraid that the ratepayers would.

4291. (*Chairman.*) Exactly. Will you go on, Mr. Gomme?—I then attempt to make an estimate of the financial effects of complete unification. That involves further consideration, besides what is incidental to the Corporation accounts. It refers to other City accounts of expenditure, namely, certain expenditure and services which are now under the Commissioners of Sewers, and to police expenditure, which is now under the control of the Commissioner of City Police——

4292. (*Lord Farrer.*) Before we go further. By complete unification do you mean including the business of Commissioners of Sewers or excluding the business of Commissioners of Sewers?—Oh, excluding the business of Commissioners of Sewers, except one or two items which are really concurrent with those of the County Council. It happens that the City Commissioners of Sewers have a few duties of that nature. I set them out on that table at page xli, but there are not many.

4293. (*Mr. Smith.*) I wanted to ask a preliminary question on this. It appears to me that in this particular classification, you have followed the existing state of things as regards the functions of the County Council. You have not dealt with it from a Municipal Corporations Act point of view?—No, I take it that it would be almost impossible to do that in London, because an ordinary municipal borough has a great deal of expenditure which in London falls on local bodies, vestries and district boards. Therefore, unless the attempt had been made to make a complete revolution of the whole thing it would have been necessary, at all events as a preliminary, to take only the facts.

4294. I only wanted to know the course you have followed. I quite see that; of course that is obvious?—Yes, that is so. The items from the Commissioners of Sewers which might be said to be concurrent and which are in fact concurrent with those under the County Council, are difficult to pick out, because the accounts of the City Commissioners of Sewers are not sufficiently minute. They do not give the statutes under which their expenditure occurs, so that I have no doubt that a proper examination of the City Commissioners of Sewers' accounts would slightly alter this table.

4295. (*Mr. Crawford.*) You can get that from their recent statement, from their statement which has been recently put in before the Commissioners. There every statute is referred to?—I think so, but this was prepared before their statement was put in.

4296. Would you mind explaining this before you proceed. I see you use two phrases, "complete unification" and "partial unification." Would you mind telling me what you mean by "complete unification" and what you mean by "partial unification?"—For the purposes of this memorandum I have considered partial unification to mean leaving the City with what I have classed as City purposes, and transferring to the county that which I have classed as county purposes; and by complete unification I mean the transfer of the whole.

4297. The whole—making one body responsible for the whole?——

4298. (*Lord Farrer.*) Excepting the business of the City Commissioners of Sewers?——

4299. (*Mr. Smith.*) Or rather, such business as belonged to a district board?—Such business as belonged to a local body. Then, having arrived at the expenditure, there would be a consequential alteration in the rate, because the City funds being made applicable to the whole of London the City rate would be unified throughout London, and there would, therefore, be a slight reorganisation of the county rate so as to make the City uniform with the rest of London.* And those are the heads under which the estimate is made.

4300. (*Lord Farrer.*) It would then do away with the special county rate and the general county rate, and make one rate for the whole of London?—That is so.

4301. (*Mr. Crawford.*) But you are required under the Local Government Act to keep a separate account—a general county account and a special county account?—Every county is required under the Local Government Act to do that.

4302. That is not peculiar to London?—But if the circumstances ceased which made it necessary to make a special county rate I take it there would be no special county rate made.

4303. Take the question of the police. I think I am correct in saying that the Corporation makes an annual payment of something like 33,000*l.*?—That is so.

4304. And gets no subsidy from the Government?—That is so.

4305. So that that really is in relief of the City ratepayer?—No, my own opinion of that is that it is a damage to the whole of London.

* To the extent of $2\frac{8}{10}$*d.* in the £. *See also* Payne 6851.

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4306. No, but I am speaking of the City ratepayer now; is not that in relief of the City ratepayer?—Yes, that is, certainly. The City Corporation's grant is a relief to the City ratepayer.

4307. If you hand over the whole of the estates to the county as it were, this unified county, then to that extent the City ratepayer is considerably injured is he not, on a mere question of police?—Not at all, because I have provided for the continuation of the allowance to the City police.

4308. You have allowed for that?—Oh, certainly.

4309. Where do we find that?—You will find it when we come to page xlii; because the present amount paid for police out of rates is put down as 74,285*l.* 8*s.* 9*d.*, and to meet that expenditure I have taken exactly the same figure annually to be the police rate.

4310. So that you have considered that question?—I have considered that question, but I do not want it to be assumed that my answer conveys the fact that in consequence of the Corporation granting that amount for the police instead of the Exchequer contributions, that that is beneficial to London. I hold that it is not.

4311. You are dealing with London; that is another question?—Then at page xlii I take the figures that were brought out on pages xxxviii and xxxix as the ordinary current expenditure as divided between the City and the County, and I first of all bring them forward as the expenditure which would have to be met by the new body on the basis of those four years, assuming those four years to be normal. I have added the extra charge for debt which is not included in the present expenditure, making allowances for the debt which is included.

4312. (*Lord Farrer.*) What debt is that?—That is the debt which I estimated at page xxxiv as what should fall upon the City estates, if that debt were paid off in 30 years at 3 per cent. interest.

4313. If provision were made for paying off that debt?—If provision were made for paying off that debt.

4314. In the same way as the County Council are bound to pay off debt?—In the same way as a local body would be bound to pay off debt; deducting such items as are already included in the figures 517,334*l.* 9*s.* 5*d.*, for debt. Then, having got the expenditure which would have to be met——

4315. Might I suggest to you that if you are altering these at all it would be as well to make a reference back to the extra charge for debt. Just refer back to the page?—Perhaps it would be better to put a footnote there to show how I come at those figures, because the figures are not the same as on page xxxiv.

4316. Just put an explanation?—It does require an explanation.*

4317. (*Mr. Smith.*) Before you leave the subject of debt, we may return to it again, assuming for the moment that the whole of London was in future to be dealt with as a municipality and not as a county, you would not necessarily be tied down to 30 years for the repayment of all the debt. That is in consequence of the Local Government Act of 1888?—Not exactly so; on fixing upon the period of 30 years I have already pointed out at page xxxiv that the reason for doing that is that we should be creating a new loan for the repaying of old loans which had existed so far back in some cases as 1852.

4318. That is your explanation?—Yes.

4319. But of course you know the Local Government Act of 1888 confined all borrowing under that Act I think to repayment within 30 years?—Except so far as the County of London was concerned.

4320. The County of London is exempt?—That is exempt under the Metropolitan Board of Works Loans Act.

4321. But all expenditure legitimately under the Local Government Act of 1888, I think, was limited by Parliament, in its wisdom, to 30 years, even for the purchase of freehold land?—I think that is so. Then having got the total expenditure, which will have to be met on account of the City Corporation services, I then take the Commissioners of Sewers services and, subject to the observation that I made just now as to there being some corrections necessary, I take out the items given in the City Commissioners of Sewers' accounts which are concurrent with those of the County Council. Some of those produce a profit in some ways, such as dangerous structures and gas-meter testing; there I put a minus sign so as to show this feature; the whole expenditure not coming to a very large amount, but being 9,852*l.* 2*s.* 10*d.* in 1889; 7,368*l.* 12*s.* 6*d.* in 1890; 12,052*l.* 6*s.* 1*d.* in 1891; and 11,526*l.* 10*s.* 1*d.* in 1892.

4322. (*Mr. Smith.*) In point of fact, with the exception of the expenditure on artizans' dwellings, the amounts are inconsiderable?—Inconsiderable.

4323. And I think the Chairman of the Commission of Sewers told me, in answer to one of my questions, that the City of London was a very unfavourable area for the development of artizans' dwellings, and they were not likely to be much extended?—I should judge that that would be so as matter of fact.

4324. (*Mr. Crawford.*) The other items you refer to here are small amounts, which are handed over, are they not, by the Corporation to the Commissioners of Sewers? The Commissioners of Sewers have not the carrying out of these various matters themselves at the present moment?—They have, most of them.

4325. Take gas-testing—gas-meter testing; explosives; weights and measures; these are not done by the Commissioners of Sewers?—In the case of weights and measures the expenses were borne by the Commissioners of Sewers and the Corporation received the receipts until 1891, and then they altered it and handed over the receipts to the Commissioners of Sewers.

4326. Who did?—The Corporation.

4327. But now, as a matter of fact, the carrying out of the Acts themselves is entrusted to the Corporation, but inasmuch as any expense under the Act falls on the Consolidated rate, and that is the rate raised by the Commissioners of Sewers, the Corporation hands over any profit which may be made in relief of the ratepayers?—I do not discover from the accounts that the Corporation perform any duties in respect of dangerous structures.

4328. No, you are perfectly right in respect of dangerous structures?—Nor in respect of gas testing.

4329. Yes; it is only a matter of explanation, it might mislead one to say that the Commissioners of Sewers do these duties.

4330. (*Mr. Smith.*) It is a case of *de minimis*, is it not?

4331. (*Mr. Crawford.*) Certainly it is very small, but when looking through the statement it might mislead you?—I am quite prepared to admit that this table is drawn up without complete information, but drawn in the best manner we could adopt from the figures at hand; but I do not think it would make any extraordinary difference to the estimate. That gives us the total expenditure which would have to be provided for in these two classes. I then proceed to estimate the revenue that will be available to meet that expenditure. There will be the revenue from the general estates—here taking the net revenue, not the gross; the revenue from interest; the revenue from the Gresham estate; the revenue from the grain and other duties, after deducting the 8,000*l.* which is hypothecated to loans; the receipts in aid; the Bridge House Estates* and the market rents and dues. Again, the market rents and dues are put at the same figure as the expenditure, because the balance is hypothecated for loans. That brings out a total revenue which may be estimated to be available for this total expenditure

* *See also* Gomme, 6-68-70.

* *But see also* Gomme, 6160.

at 517,334*l.* 9*s.* 5*d.* in 1889; 533,216*l.* 15*s.* 7*d.* in 1890; 519,897*l.* 8*s.* 7*d.* in 1891; and 541,904*l.* 5*l.* 10*d.* in 1892. Then the last table is to bring all this various detailed information together, and make an estimate of the final result. I, first of all, bring down the expenditure for current purposes, including the police, paid for out of the estates—in answer to Mr. Crawford's question— then the police paid for out of the rates only, and then the transfer from the Commissioners of Sewers; making a total expenditure of 642,631*l.* 10*s.* 11*d.* in 1889, 648,458*l.* 13*s.* 11*d.* in 1890, 677,478*l.* 0*s.* 3*d.* in 1891, 695,744*l.* 16*s.* 6*d.* in 1892. Then to meet this expenditure there would be increased revenue from the following sources: the Bridge House Estates and the Blackfriars Bridge Estate, which I have assumed might be applicable in future to London bridges generally, instead of being kept in hand at the banker's unused.

4332. (*Lord Farrer.*) Is that an estimate of what the future surplus from those estates would be?—No, that is taking the exact surplus in those four years.

4333. From the receipts?—From the receipts. They are all detailed in the analysis at certain pages. Then the surplus revenue of the City of London Court I have taken as being available to meet similar expenses. There is an excess of expenditure for instance in the Mayor's Court, and the two courts would come in. Then I have estimated the special county rate to be levied on the City, and the exemption abolished. I have estimated that throughout the four years at the same figure for the purpose of clearness, though of course in each particular year it would have been slightly under or slightly over that figure. Then I have taken the Police rate at the same figure as the balance of expenditure falling on rates; and the revenues from the estates and funds I have brought down as in the table above, making the total revenues applicable in the four years to be 651,271*l.* 4*s.* 1*d.*, in 1889, 671,109*l.* 15*s.* 6*d.*, in 1890, 672,408*l.*, in 1891, 694,817*l.* 12*s.* 1*d.*, in 1892. Then I bring down the balance produced by deducting the revenue from the expenditure, and it shows a surplus balance in the first two years of 6,639*l.* 13*s.* 2*d.* in 1889 and 20,651*l.* 1*s.* 7*d.* in 1890, and a deficit balance in the last two years of 7,070*l.* 0*s.* 3*d.* in 1891 and 2,927*l.* 3*s.* 7*d.* in 1892. I then adjust the small item of cash balances, which I have already explained as the estimated loss to the Chamber of London through not using the balances of the Commissioners of Sewers which would then become local—I have put that at 2,000*l.*

4334. (*Chairman.*) That arises simply from the Commissioners of Sewers?—The Commissioners of Sewers' balances, that is all.

4335. (*Lord Farrer.*) There a reference back would be convenient?—A reference to the page where I——

4336. Yes?—Yes.*

4337. (*Mr. Crawford.*) But you make no provision for the keeping of their accounts and collections which would be necessitated by such a change?—That would fall upon them locally and rightly so, but there is no necessity for that provision in this table as it would be the same as a district board; the expense falls to the district board.

4338. Yes, only it goes to increase the expense?—It would possibly.

4339. Well, it must necessarily, surely?—That depends upon the extent to which the Chamberlain keeps the Commissioners of Sewers' accounts. If he keeps them as a banker it would not increase their expenditure at all. If he keeps them as an accountant of course it would be so.† Then I bring out the final results in the last line, showing a surplus in the first two years of 6,639*l.* 13*s.* 2*d.* in 1889, and 20,651*l.* 1*s.* 7*d.* in 1892, and a deficit in the last two years of 7,070*l.* 0*s.* 3*d.* in 1891 and 2,927*l.* 3*s.* 7*d.* in 1892.

4340. That is by an amalgamation of the City estates and revenues and the public and trust funds?—That is so, by an entire amalgamation, and then, of course, assuming that all the figures in these years are normal, that no change would be made in them in consequence of unification—in fact, leaving it still as it stands, without taking any further consideration of savings in any quarter at all.

4341. (*Chairman.*) Or increase?—Or increase.

4342. (*Mr. Crawford.*) Take 1891 and 1892 as, fair samples, there would not be much financial benefit from amalgamation?—Taking 1891 and 1892 there would be no financial benefit certainly.

4343. (*Lord Farrer.*) You assume the police charge to remain as it is at present?—I assume that the police charge now being in the hands of the Corporation for the City would remain in the hands of the new body for the City.

4344. (*Mr. Smith.*) That is rather a large assumption, is it not?—Well, I have not entered into the constitutional question that it raises.

4345. That it would remain in the hands of a sort of district council?—Well, I do not think it is a case for a district council having its own police; it would rather be the idea of the police remaining in the hands of the Corporation, the city area under the new state of things being a special district for that special purpose.

4346. (*Lord Farrer.*) But this assumption is founded on the actual facts of the last four years?—Yes.

4347. With the exception of this one change with regard to the balances of the Commissioners of Sewers, you have not estimated for any change at all?—Not for any change at all.

4348. You have taken the facts as they are to see what the effect would have been if there had been unification during these four years?—That is so; exactly.

4349. (*Mr. Smith.*) Unification without alteration?—Unification without alteration; and, even if the police were altered, it is just as well to point out that it would make no difference to the estimate, because I have taken the same figure both for receipts and expenditure.

4350. It would make no difference if they were put on the same basis as the rest of the police of London, whatever that may be?—Oh, that would make a difference.

4351. That is what I wanted to get at?—Because there would be the question of the Exchequer Contribution Account.

4352. That is the question raised by Mr. Crawford. The City of London have their own police; London is policed from the Home Office. I was assuming if unification takes place the police would follow the larger body, and not remain a special force. But I am bound to say that I also contemplated some day or other the municipality of London having its own police?—No doubt.

4353. (*Chairman.*) In any case the Exchequer contribution would be received which is not now received?—No, it is not now received. That opens up a financial adjustment which I have not entered into here; it would be rather a complicated calculation to make.

4354. Whether it remain county police or metropolitan police under the executive Government, there would be an Exchequer contribution?—There would be some adjustment necessary, there is no doubt.

4355. (*Lord Farrer.*) That is to say the Government do not contribute as much now to the City police as they do to the Metropolitan police?

4356. (*Mr. Crawford.*) They contribute nothing to the City police.

4357. (*Lord Farrer.*) Quite so. So that a change in the government would be a gain financially to London?—Undoubtedly. The Government do not contribute as much to the county of London because the Corporation are generous and give to the city police what elsewhere would come out of Government contributions.

* *See* Gomme, 3755-75.

† *See also* Payne, 6986-96.

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4358. (*Mr. Smith.*) Whatever may happen elsewhere, with regard to other matters, unification of the police force would certainly be a gain?—A gain to London unquestionably.

4359. (*Mr. Crawford.*) Ah! a gain to London as a whole, but surely not a gain to the citizens of the City of London.

4360. (*Mr. Smith.*) The City pay the whole cost at present; surely it would be a gain if they got something back.

4361. (*Mr. Crawford.*) No; for at the present moment the City ratepayers of course get the benefit of the contribution made by the City, which means one-fourth of the whole of the expense of the City Police. But if you threw the whole lot into one fund, and then come to have a rate upon the whole Metropolis, I should think the City ratepayers would have to pay more than they have to pay at present?—I think not, because it is a question ——

4362. (*Mr. Smith.*) I was only looking at it in this way, that at present the City Police Force is rather an expensive luxury to the City of London?—Of course, in putting the police in here I have had it in my mind that it would be perfectly possible to let it remain in the hands of the unified corporation, because of the provisions of the special county rate. You could levy a special county rate for that purpose in the City alone and so carry on the City police without expense to London generally.

4363. This is very properly an analysis of existing facts?—An analysis of existing facts, yes. Then I give one or two supplemental tables for the purpose of information more than anything else. They do not fall really into the general scheme of the memorandum. First of all, the expenditure on behalf of the freemen of the City; that is set out on pages 38 and 39, in detail for a series of years, beginning in 1869, showing the expenditure for the Freemen's Orphan School under two heads, namely, the "Current expenditure" and the "Supplemental expenditure" allotted by the Corporation; and then showing further the expenditure for widows of freemen, the amount and the cost of distribution; and then the expenditure for almshouses, and the total. And then I show the revenue which is applied to meet that expenditure. First of all the "Fees on freedoms and "gifts in the chamber by persons on their admittance "to the freedom;" then, "Rents, dividends, &c., "credited to Freemen's Orphan School account;" and then, "Annual grants by the Corporation for "Freemen's Orphan School, for the widows of free-"men," and the total; and then "certain charges paid "by the Corporation as part of their annual expendi-"ture"—bringing out the total revenue, and showing either a slight balance or a slight deficit each year, but practically coming in the end to the same figure.

4364. (*Lord Farrer.*) Do you gather from these figures that the number of freemen is increasing or decreasing; or are you unable to say anything about it?—The number of fees raised seems to be in 1892 a little more than twice what they were in 1869; but whether that is due to increase of fees or increase of freemen, there is no evidence.

4365. (*Mr. Crawford.*) I think you will find the fees were increased recently?—Oh, the fees were increased.

4366. (*Lord Farrer.*) And the pensions to widows seem to be a fixed sum without any reference to the number of the widows.

4367. (*Chairman.*) That is the grant; the grant-in-aid is on the other side?—The amount paid is in column 10.

4368. (*Lord Farrer.*) But that remains very much the same.

4369. (*Chairman.*) Yes?—Then on page xliv I set out the bequests, quoting as nearly as possible the words of the City accounts.

4370. These are separate trust estates?—First of all on the general estates these: bequests are paid out of the general estates presumably under the bequests.

4371. (*Lord Farrer.*) Under wills which have given property to the Corporation subject to certain charges?—That is what I assume it to be.

4372. (*Mr. Smith.*) That is in some cases?—Well, in one case it states so, namely, "Coal supplied to the "several parishes in London and Southwark pursuant "to the will of Sir Thomas Cambell."

4373. Yes, I was looking at the bottom one; that is an invested legacy, I take it?—Admiral Duff's legacy, that is so. Yes.

4374. We have got one in Birmingham, I happen to know, and that was what attracted my attention to it, of 1,000*l.*; that, of course, is a trust estate or trust fund rather, and does not form any part of the accounts?—One year's dividends on 1,163*l.* 4*s.* 7*d.* in 2¾ per cent. consols.

4375. These are matters not at all of municipal management, they are trusts?—Simply trusts.

4376. Charitable trusts?—Charitable trusts, as I take it.

4377. (*Chairman.*) The maintenance of the garden and fountain in Smithfield Market, does not indicate any name.

4378. (*Mr. Crawford.*) Sir Martin Bowes' bequest, I think it is connected with.

4379. (*Chairman.*) It should be in that case ditto. The water supplied to the drinking fountain is Sir Martin Bowes', but the other is not?—That should be stated so.

4380. (*Mr. Smith.*) That is a bequest is it, the maintenance of that garden?—I only take it from the accounts.

4381. (*Mr. Crawford.*) I think the provision was made in the Act when the market was erected.

4382. (*Chairman.*) And you add below some reference to scholarships in the City of London School?—Yes, there are various scholarships which are all set out in the City accounts on pages 246 to 253.

4383. These are foundations for prize purchases?—Yes, the Times scholarship, the Beaufoy scholarships, the David Solomon's scholarship, and so on.

4384. I think there should be some explanation of that. These scholarships are not like the ordinary cost of maintenance of the school?—Oh, no.

4385. It is a kind of voluntary action on the part of the Corporation; but they are like trusts. They are specific sums which have been given for the purpose?—That is so, and the capital sum from which the dividends are derived is set forth in the accounts very clearly, and the amount paid to the scholar who gains it side by side in each year.

4386. You might say besides this there are scholarships arising from certain bequests or foundations attached to the City of London School?—Oh, yes.

4387. (*Mr. Crawford.*) They are all carefully preserved by deeds of trust. I think in connexion with each scholarship there is a deed of trust?—Oh, yes, it is very clearly stated.*

4388. (*Chairman.*) You have some observations to make on the loan account?—Yes; the short statement on page xlv is explanatory of the loan account. That we have already partly examined on pages 42 to 45, to which this added table put in to-day has reference. That is summarised on page 46 in as convenient a form as I could adopt. It shows that the average rate of interest paid by the Corporation annually is 3·42, nearly 3½ per cent.

4389. A saving may be expected upon that as loans are matured and renewed. That is higher than the rate of interest the Corporation are paying now?—That is so, because that is shown by the average interest paid in previous years; for instance, loans that were renewed in 1891 were evidently renewed at a less rate, because the average then was 3·45, showing a slight increase compared with 1892.

4390. (*Lord Farrer.*) Are those bonds quoted on the Stock Exchange?—I believe they are; they are very well known.

* *See also* Gomme, 6169.

4391. Are they; and are they distinguished, all these different loans?

4392. (*Mr. Crawford.*) On the Stock Exchange?

4393. (*Lord Farrer.*) Yes, on the Stock Exchange?

4394. (*Mr. Crawford.*) I fancy they come under the name of Corporation Bonds. They are a very favourite security with trustees, and also of insurance offices in London. There is no difficulty in getting rid of Corporation Bonds?—That is so.

4395. (*Mr. Smith.*) They are really a mortgage, practically mortgage bonds.

4396. (*Mr. Crawford.*) What you would call mortgage bonds, but they are really known on the London Stock Exchange as Corporation Bonds.

4397. (*Mr. Smith.*) They are transferable by assignment, not payable to bearer.

4398. (*Mr. Crawford.*) Some of them are transferable to bearer.

4399. (*Lord Farrer.*) There is such a large number of different issues that instead of having one consolidated stock——

4400. (*Mr. Crawford.*) That is so, but every loan has been raised under some statute, and I think I gave you a reference to a statute on the last occasion which practically contains a clause similar to all other clauses, leaving the form of the bond pretty much to the Corporation.

4401. (*Chairman.*) When was the last loan issued, do you know?—The last loan would be the Tower Bridge loan.

4402. (*Mr. Crawford.*) I think there was a smaller loan in connection with the markets?—Yes, there was a loan of 22,000*l.* in connection with the markets last year.

4403. (*Lord Farrer.*) At what rate was that?—It is on page 42, the third column,—22,000*l.* at 3¼ per cent.

4404. (*Chairman.*) That must have been issued at a premium, one must suppose. In the same year I see 134,500*l.* Tower Bridge loan at 3¼ per cent., page 44?—Yes, that is so,—3¼ per cent.

4405. (*Lord Farrer.*) What was the rate of the last County Council loan?—I think it works out to 2·8 per cent.; it is under 3 per cent.

4406. (*Chairman.*) Do the City accounts show what amount was actually raised, whether it was the exact sum, or anything more or less than 134,500*l.* last year in respect to that loan?—In respect to the Tower Bridge Loan?

4407. Yes?—I think not. In some cases it does happen that there is a premium.

4408. (*Mr. Crawford.*) On page 168 you will find it 134,500*l.*, at 1 per cent. premium?—That is so. Yes.

4409. Mr. Gomme, the question was put to you by the Chairman on the last occasion (Question No. 3532): "Your desire has been rather to re-"arrange the accounts than to present anything new "or additional?" and your answer was: "Yes, to "re-arrange the accounts from the point of view from "which the committee of the County Council was con-"sidering this question." May I take it that the point of view from which the committee of the County Council was considering the question is defined on page 1 of your memorandum, viz., "One object of "the analysis has been to resolve the whole trans-"actions into a simple matter of receipt and expendi-"ture; and the result is to show what a small sphere "the whole financial transactions of the Corporation "occupy in London municipal affairs." Was that the object?—No, I think not. I think the point of view from which the committee of the County Council were considering the question, was the point of view of unification. This is an incidental remark cropping up out of the examination of the accounts.

4410–11. I was going to ask you, with regard to these remarks that one finds here, is one to take it that they are your remarks, or are they the remarks of the committee?—They are my remarks

4412. Entirely your remarks?—Entirely my remarks.

4413. There is just one question I would like you to give me an explanation upon, page x?—Page x of my memorandum?

4414. That is, where you are dealing with the question of extraordinary expenditure?—Yes.

4415. Page x and xi, particularly page xi?—Yes, these figures.

4416. You use this expression: "Unless the "figures for these three years are very exceptional, "and there is no evidence of this, the significance of "these conclusions in relation to the question of "unification lies in the fact that the condition of its "finances must have an important bearing upon the "position which the Corporation would take in the "future in municipal matters if it were left in its "present state"?—Yes.*

4417. Now you say there is "no evidence" of exceptional expenditure. Take the question of police: Do you not find evidence of an exceptional expenditure in 1892?—I find that the police expenditure was heavier in 1892 than the previous years; in fact, I believe it has gone up in each year.

4418. Well, do you happen to know that in the end of 1891 a resolution was passed by the Court of Common Council increasing the number of the police by 90?—I do not know that, but I do know that the police expenditure has gone up in each year, and I have assumed that that is for purposes which are not "exceptional" in the sense that I take the word "exceptional," but for purposes that were necessary.

4419. You do not include that as an extraordinary expenditure, but as a necessary expenditure?—As a necessary expenditure.

4420. That is the distinction that you draw?—That is the distinction that I draw.

4421. With regard to the Mayor's Court, where you show that for the last three years there has been a considerable loss, have you referred to the accounts, and do you find that there has been extraordinary expenditure in 1891 and 1892 in connexion with the salaries of judges?—I have already given credit for the extraordinary expenditure in the Mayor's Court, 2,331*l.* 1*s.* 10*d.* in 1889; 4,534*l.* 8*s.* 11*d.* in 1890, and 32*l.* 13*s.* 5*d.* in 1891.

4422. I only want to test the accuracy of your statement that there was no evidence of extraordinary expenditure?—Well, it would turn on what you mean by the word "extraordinary." My definition of the word "extraordinary" is not expenditure that the Corporation has incurred upon such a thing as salaries, because I assume there that they have rightly incurred it, and that that would go on. That is not extraordinary in the sense that I have taken it.

4423. Well, I mean to say probably you would consider it to be extraordinary if one were paying really what amounts to the salary of two Common Serjeants, would you not?—Certainly, in that case I should, unless two Common Serjeants were necessary and proper. Assuming that one is, two would be exceptional, certainly.

4424. Looking to the accounts, do you not find that there is still a salary, although probably in the accounts shown as pension, to the late Common Serjeant, and at the same time an increased salary to the present Common Serjeant?—Is that in 1892?

4425. 1891 and 1892, 1892 more particularly?—1892, that is so; and it is perfectly impossible to distinguish in close detail small things of that kind, because, as against such a case as that, for instance, I would put what I have made a note of in the 1892 account on page 29, namely, that the Corporation having lent temporarily a loan of 85,000*l.* pending the sale of Farringdon market, instead of paying the whole amount of interest due on that, only paid something on account, viz., 500*l.*; in fact, it is impossible, in a large number of figures of this kind,

* *See* Gomme, 3696–3712.

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unless one has access to detailed papers, to show that in no single instance has such a circumstance as you have just now mentioned occurred; but then I set one against the other, and I think on the whole, so far as I am able to give an opinion from the figures, that they counterbalance each other. For instance, my attention was particularly drawn to that 500*l.* paid for interest on account only; there would be something due to be paid on that, so that if there was something less paid on one account and something more on the Mayor's Court, the one would about balance the other.

4426. I mean to say, where you find, as you do here, in one or two years a considerable deficit, does not an investigation of the accounts show that there has been an extraordinary expenditure to account for that deficit?—Not an extraordinary expenditure in the way that I have used it for the purposes of of my estimates. I have assumed that the expenditure is all proper and correct, and that it is necessary; and in that sense I have not considered it to be an extraordinary expenditure, except in those items that I have picked out and set aside.

4427. (*Chairman.*) It is not a sort of occasional expenditure; there is no reason to suppose it is occasional expenditure?—That is rather the interpretation that I would put upon it, yes.

4428. (*Lord Farrer.*) That expenditure, or something like that, is likely to recur?—Is likely to recur, yes.

4429. (*Mr. Smith.*) With regard to the police, you have treated that as a matter of growth, I suppose?—I have treated that as a matter of growth, and necessary growth.

4430. (*Lord Farrer.*) There was a considerable increase made to the police in 1892?—Yes; Mr. Crawford has explained that.

4431. (*Mr. Crawford.*) You do not know, probably, that in the matter of open spaces, within the last two years, the area of open spaces under the control of the Corporation has increased?—Yes, I do; because you have purchased land.

4432. There is Epping Forest, that of course would entail extra expenditure?—Yes. Then again, that would be not "extraordinary" expenditure in my sense, because it is also continuous.

4433. (*Lord Farrer.*) The expenses of the police are likely to increase, are they not—pensions will increase?—Pensions will increase.

4434. And all that would fall on the rates?—In the metropolis, I have no doubt, yes.

4435. Could you work that out for us? It is a mere question of proportion, the problem that we were talking of; whether, supposing the police were transferred to the county and the Government paid for the City Police, the same Exchequer contribution that they do for the rest of the Metropolis, the City ratepayers would gain or lose?—Yes, I think I could work that out.

4436. The City Corporation losing, as applicable to their particular area, that proportion of their general funds which it now extends towards the police, I am, of course, making the assumption, that the police of the City is transferred to the county?—Yes.

4437. And falls into the Metropolitan police?—Yes.

4438. That the Government pay the same contributions in respect of the City that they do in respect of the rest of the Metropolis?—Yes.

4439. And that, according to your plan of unification, you know the City estates would belong to the county?—Yes.

4440. Then can you work out the question whether the City ratepayer would gain or lose?—Yes, I think there would be no difficulty about that.

4441. It is merely a question of proportion?—Yes, merely proportion and adjustment of rating.

4442. In your paper about the freemen of the City, where do you get these items about the freemen; from the accounts?—Oh, yes, entirely from the accounts.

4443. There is no list, is there, of the number of freemen upon the list at the time being?—No.

4444. You have nothing except what appears in the accounts?—I have nothing except what appears in the accounts.

4445. You do not know as matter of fact, do you, whether the fees for each freeman have been made much higher or lower lately?—Only what Mr. Crawford mentioned just now.

4446. You do not know what the freeman's fees are?—Not at all.

4447. (*Mr. Crawford.*) But you know how the fees of the freeman are applied, do you not?—How they are applied; oh, yes.

4448. They do not go to benefit the Corporation estates?—No, they are applied to this Freemen's Orphanage School, I believe.

4449. (*Lord Farrer.*) My object was not with reference to the application of the money, which I have no doubt is perfectly correct. My object was to ascertain what the history of the freemen has been, whether they are increasing in number or diminishing?—That I have no means or telling, unless you got it from the Parliamentary roll.

The witness withdrew.

Mr. W. H. Dickinson, Deputy-Chairman of the London County Council, recalled and further examined.

4450. (*Chairman.*) You have nothing further of yourself to add to Mr. Gomme's evidence?—No, Sir, I have not.

4451. Is Mr. Kemp here?—Yes.

4452. His memorandum would be so ready that we could take it up at any time?—Yes, we have got it in print now. We could hand it to you to-day if you wished for it, or to-morrow. Of course, Mr. Kemp has been trying to make it more perfect.

4453. But we could have it for instance now in a rough state so as to begin if possible to-morrow morning.

4454. (*Mr. Smith.*) We hope to know to-morrow what course the City intend to pursue. Perhaps it would be better to defer it till then.

4455. (*Chairman.*) I think we had better not take any premature action.

(*Room cleared, on resuming.*)

4484. (*Chairman.*) Mr. Dickinson, we need not keep you and your friends in attendance any longer to-day, but if it would be convenient for you to come to-morrow morning, at 11 o'clock, we shall be glad of your presence. We cannot now definitely say whether we shall or shall not proceed with any examination of Mr. Kemp then, but it would be very convenient to prevent any possible loss of time if he and you were able to attend at 11 o'clock to-morrow morning and be ready, if necessary?—Yes, we will, Sir.

The witness withdrew.

Adjourned till to-morrow at 11 a.m.

TWELFTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 7th December 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary.

Mr. W. H. DICKINSON, Deputy Chairman of the London County Council, re-called and further examined. *Mr. W. H. Dickinson.* 7 Dec. 1893.

4485. (*Chairman.*) You appear, Mr. Dickinson, to hand in another book?—Yes. May I just say that we do so in accordance with the request contained in a letter I received from the Secretary of the Commission, stating that the Commissioners desired that Mr. Kemp should give his evidence; we therefore tender him with this book.* May I hand a copy to each of the Commissioners? May I at the same time make one remark which I think has been rendered necessary, owing to a question which was addressed to Mr. Gomme last time? It applies both to Mr. Gomme's statement and to the statement of Mr. Kemp. It was asked whether these statements represented the views of the Council. Of course the Committee of the Council are entirely responsible for these statements, and for all the main points that are contained in them, but they do not stand quite on the same footing as the former statements, because they are statements prepared by particular individuals for the information of ourselves, and therefore there may be—there may appear to be—certain ideas as to the policy of amalgamation contained in these documents which are the expressions alone of the writers of these documents, and I would ask that if any questions arise as to policy in this matter, from deductions from, or comments made upon, these documents, they may be addressed at a later stage to some member of the Council who, of course, will be willing to appear in the matter.

4486. (*Mr. Crawford.*) I did not quite understand that, Mr. Dickinson. I gathered that the remarks to which you refer arose from questions which I put to Mr. Gomme?—Yes.

4487. I asked Mr. Gomme whether I was to take it that the deductions which appear here were deductions which had received the approval of the Committee on whose behalf the statement was prepared and put in. I thought the reply that he gave me was that they had approved, and therefore we might accept them as documents which were put in with their approval?—Yes, I did not mean to object to that. I say that on all main points of fact which appear, the documents they have been before the Committee and myself, and we entirely endorse them and approve of them, but I ask that any deductions that might be made by means of cross-examination, may be put to a member of the Council, rather than to Mr. Gomme or Mr. Kemp, who have merely prepared these documents for our information and for us to form our conclusions upon.

4488. Would it not be the better plan, since Mr. Gomme and yourself have had an opportunity of reading the questions put, and seeing whether they have been correctly answered—and that examination, I assume, would be open to members of the Council—if anything has been stated there by any individual witness which does not meet with the approval of the Council or any member of the Council—would it not be far better for the Council, through a proper representative, to make known its views to this Commission rather than that the Commission itself should call for some evidence of that character?—There is no question as to the fitness of any answer that has been given up till now, but I only ventured to make this remark in view of future proceedings, especially for this document, now which of course relates very particularly to the legal position of the City.

4489. (*Mr. Smith.*) I understand the difficulty arises in this way, that the evidence of Mr. Gomme was as to certain facts, mostly financial, with respect to the existing position—if I may call it, the *status quo*—of the City, and that any observations as to the form of amalgamation or the policy of amalgamation were rather his own remarks than those of the London County Council?—Yes, they certainly were originally.

4490. (*Mr. Crawford.*) But not disapproved of by the Committee, to whom, of course, the statements were submitted?—There is nothing disapproved of in this document by the Committee at all. It is only the deductions which may be drawn from certain statements that I ask the Commission not to take ultimately from the officers who prepared them.

4491. (*Chairman.*) These statements may be accepted as statements of fact, but when deductions of policy are made from these statements of fact they are not to be attributed to the Council officially?—Not without giving us a further opportunity.

4492. I may say that I have had a short opportunity of looking over this book, and I do not propose to ask any questions whatever as to the introduction, which I think ought to be reserved?—That was in my mind.

4493. That evidently belongs to the second class?—That was in my mind.

4494. Then, as you have said, it will be convenient in this, with reference to possible future evidence on the part of the Corporation, that we should not consider the introduction, but proceed simply to the historical review of the existing situation?—Shall I ask Mr. Kemp to explain this statement now?

4495. If you please.

The witness withdrew.

Mr. JOHN KEMP, Secretary to the Special Committee of the London County Council, called in and examined. *Mr. J. Kemp.*

4496. (*Chairman.*) Will you tell us, Mr. Kemp, what your position is with relation to the London County Council?—I am a barrister, but I was engaged to act as secretary to the Special Committee on London Government.

4497. With reference to this Commission?—With reference to this Commission.

4498. And you have prepared a memorandum which has been handed in*?—Yes, sir.

4499. That memorandum is, apart from the introduction, a succinct statement of the constitution of the City as it exists at present?—Yes, sir.

4500. With its rights and powers and jurisdictions?—Yes; and further—the latter part of the

* *See* Appendix VIII.

* *See* Appendix VIII.

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statement consists of a document which has been already handed in separately and deals with the County of London and the county government of the City—the City as a county.

4501. (*Mr. Crawford.*) That is the fourth statement of the London County Council?—No; I think it was the third.

4502. (*Chairman.*) You have probably seen the volume which was handed in by the Corporation?—Yes, and I wish to say that I have revised this since. I am indebted for a number of corrections—of course I have endeavoured always to verify them, but I am indebted for a certain number of corrections to the volume of the Corporation.

4503. And your memorandum to a large extent covers the same ground?—It approaches the matter from such a different point of view that it does not really cover all the ground or nearly all, because the statement of the Corporation deals very largely with the practical work which they do under their powers, and I naturally had not the knowledge about that, and besides it was not exactly the question as it presented itself to me.

4504. I do not propose to go over the same ground in examining you that we have already gone over with the Town Clerk. I will only take up points which appear to me to be new points, or points upon which there seems to be some difference of view expressed in the two statements?—Yes.

4505. You commence with a definition of the area of the City?—Yes, it might be divided into two parts: London within the walls and London without the walls, which are commonly called the liberties.

4506. There is no dispute whatever as to their both being within the jurisdiction of the Corporation?—Within the jurisdiction of the Corporation.

4507. We need not be concerned with the origin of that definition. Then on page 8 you say the Corporation has never extended its boundaries?—As far as I know it has not beyond the liberties of the City; but there have been liberties within the City which formerly were excepted from its jurisdiction, and which have at various times been brought within its jurisdiction.

4508. That is, islands within the area?—Yes.

4509. Which have been absorbed within the jurisdiction of the City?—Yes.

4509. At the bottom of page 7 you give them?—There was the case of Whitefriars and Blackfriars which "were respectively declared to be part of "Farringdon Without and Farringdon Within by "Acts of Common Council of the 11th March 1736 "and 28th February 1806, and Saint Martin's-le-"Grand was annexed to the Ward of Aldersgate by "the Post Office Act."

4510. As a matter of curiosity, that Whitefriars, or Alsatia as it was called, how was that governed; have you any notion?—I am afraid my knowledge does not extend to that.

4511-2. You say the City might have extended its jurisdiction, but it never could have extended its customs?—Yes, I mean that there was nothing to legally prevent it from extending its jurisdiction; the reason I have drawn attention to this is, that I have often seen it stated that formerly the course that was pursued in the City was to extend its area to districts outside, and I have even frequently seen it stated that that was the origin of such distinctions as wards within and without, and that is why I point out that although they are called "without"—they are without the walls—but they are always within the liberties.

4513. But was it possible, do you mean, for the Corporation to have extended its jurisdiction without the consent of persons outside?—No, I do not think so; I mean merely to make the distinction which I there draw, between "extending its jurisdiction" and "extending its customs," which it could not have extended.

4514. By agreement it might have extended its jurisdiction, but even by agreement it could not have extended its customs without the sanction of Parliament?—That is so.

4515. (*Mr. Smith.*) Is it quite clear that it could have extended its jurisdiction?—Well, for example, it certainly could have extended its jurisdiction in a much fuller way than it did over Southwark—that it got by grant. The borough of Southwark was granted to the City by Charter, but the City never fully extended its jurisdiction over it.

4516. You would rather confine that observation to the borough of Southwark, would you not?—Yes, the distinction that was in my mind when I said this was that there was nothing legally to prevent them from extending their jurisdiction, but there was from fully extending the City, as a City, over these areas, because it could not extend the customs.

4517. (*Chairman.*) Do you mean to say that the Corporation of London could have come to an agreement with the parish of St. Giles'-in-the-Fields to have taken St. Giles' into the Corporation?—I think so; I see no reason why it should not.

4518. Without the sanction of the Crown?—I think so. The limits of the City, so far as I know, were never fixed by Parliament or otherwise than as they happened to exist by custom. Oh, not by custom; the jurisdiction was limited by the jurisdictions of other persons. There was, for instance, the jurisdiction of the Liberty of the Tower and of other liberties within the City, and there might be jurisdictions without it. There was, of course, the county at large of Middlesex; but I think that it could have extended its jurisdiction by consent beyond the City.

4519. It is a question of historical curiosity, I think, more than of practical value?—Yes.

4520. I should think it was doubtful?—Well——

4521. (*Mr. Smith.*) It is an interesting feature to me; I have had something to do with borough extension lately; I do not quite see the power.

4522. (*Lord Farrer.*) At any rate that power does not exist now?—Oh, no.

4523. (*Chairman.*) Is your statement at the bottom of the paragraph on page 8 quite exact: "By virtue "of various Acts and Byelaws of the City the Senior "Alderman for the time being was made the Alder-"man of the Ward of Bridge Without"?—Yes, I think that is quite correct.*

4524. I thought the Senior Alderman was occasionally passed over?—Yes, I have described that later. I mean that it is given to him if he accepts it, and then to the next in seniority.

4525. That is scarcely the interpretation of the sentence as it stands, is it?—I am afraid not. I have explained it more fully on page 16.

4526. (*Mr. Crawford.*) Probably that was written before the Blue Book of the Corporation was put in?—Both passages were written before then.

4527. But your explanation on page 16, I think, is really derived from the information contained in our Blue Book?—No, it is not; I really had it here.

4528. (*Chairman.*) It is matter of common knowledge that within recent times the Senior Alderman has waived his privilege; is not that so?—Not only so, but I have felt bound to retain here what differs from the City's statement, because you say that there never was an Alderman elected, or Common Councilman elected for that Ward?—Well, of course, you may know better than I do, but the information that I have obtained is that there was for a short time.

4529. (*Mr. Crawford.*) Elected by whom?—Elected in the Ward.

4530. But which Ward?—Of Bridge Without; elected for Southwark.

4531. Can you give me the year?—Well, what I have on page 8 is, "Common Councilmen and Alder-"men were chosen for a short time for that Ward,

* *But see also* Kemp, 4621-3, 5898.

"but the practice fell into disuse — there is no "record why or how." And that is taken from the Reports, both of 1837 and 1854, when it was given in evidence, I think, in the second case, by Mr. Pulling. It was immediately after the grant of Southwark.

4532. That was by Charter of Edward?—Yes. Well, I think it was immediately after that.

4533. You may take it that for six centuries they have not?—Oh, no.

4534. (*Chairman.*) Do you wish to call attention to any point on sub-head 2, "Charters and Customs"?—The Corporation has not any Charter which defines its constitution.

4535. But a bundle of overlying Charters?—Yes, and its title—its style—has been fixed since 1690 by the Act of 2 William and Mary. Before that it was called in the Charters by very different names.

4536. You open up a prospect of the City Corporation being dissolved by the failure of liverymen?—Well, it struck me as a manner in which it might happen, I have always seen what I give here as an exhaustive statement of the manners in which it could be dissolved, but that is another way in which I suppose it could be dissolved.

4537. (*Mr. Crawford.*) Was that a view held by the late Mr. Firth?—I do not know.

4538. I did not know whether you had gathered it from his book?—No. I did not; I think it is mentioned in a note in Pulling's book, or suggested.

4539. I think I remember having seen it in one of Mr. Firth's works?—Well, if it is I have not heard of it.

4540. (*Mr. Smith.*) You refer to Blackstone here, do you not?—Oh, only for the——

4541. (*Chairman.*) For the general proposition that the Corporation must have a head?—Yes, that is it. The point is of course that the Lord Mayor is elected by the freemen of the City who have been that liverymen of the Company for a year, is by Act of Parliament, and therefore cannot be changed, and if the liverymen were to fail altogether, I suppose there would be no possibility of electing a head of the Corporation.

4542. (*Mr. Crawford.*) That is not a reasonable probability, is it? There are over 8,000 liverymen?—Oh, they will not fail in that way.

4543. I am afraid not in our time at all events.

4544. (*Chairman.*) You express an opinion which is personal to yourself that Parliament could not judiciously extend the customs of the City, if the City itself had its area enlarged?—That is merely my opinion that they would not be extended unless in the opinion of Parliament they were customs which were fit to be in the general law, but it is merely an opinion.

4545. The custom of market overt could not be extended to a large city unless Parliament were ready to extend it to the whole kingdom?—It could be.

4546. Yes, but it could not be judiciously?—I do not think so, though I see no reason why it should be a custom prevailing just beyond Temple Bar, and not immediately outside it.

4547. (*Mr. Smith.*) Do you know any practical advantage arising from the custom existing inside the Griffin, and not existing outside?—I have heard it said that that is the reason why there is a pawnbroker's shop at the corner of Chancery Lane.*

4548. I think that is not a bad answer.

4549. (*Mr. Crawford.*) Mr. Attenborough finds the custom a valuable one, Mr. Smith.

4550. (*Mr. Smith.*) I see?—That might be a practical benefit. The last case, as far as I know, in which the custom was discussed and arose was the Osborne case.

4551. (*Mr. Crawford.*) Yes, Spink?—There if it had happened that Mrs. Osborne had sold the jewels in the open shop downstairs, there is no doubt that Messrs. Spink would have got a title that was good against the world.

4552. That was a case in Gracechurch Street, was it not?—Yes.

4553. (*Chairman.*) They sold it upstairs instead of in the shop?—They sold it behind a door upstairs.

4554. (*Mr. Smith.*) All that you have to say is that Parliament would have to discuss the propriety of that?

4555. (*Mr. Crawford.*) And the advantage?—And the advantage.

4556. (*Chairman.*) You go further than that?—I seem to go to the length of saying that they could not be extended at all in London unless they were included in the general law of the country.

4557. It amounts conversely to a condemnation of their existence?—Not necessarily; I think there are many things which have not yet been done which Parliament might do.

4558. No, the condemnation of their existence if Parliament is not ready to extend it?—I think so.

4559. The custom of market overt and the custom of descent, whatever they are in the City, appear different from those of the common law, and are all condemned. Unless Parliament is ready to extend them they are open to condemnation?—I think so.

4560. (*Mr. Crawford.*) That is simply a personal opinion, Mr. Kemp?—Purely.

4561. (*Chairman.*) Now, on the top of page 12 you open up a very important question upon which we should like to have your views, that is, the power of the Corporation to reform itself?—Yes.

4562. Power of omnipotence?—I think it is an important power in the Corporation, which still has significance, in fact it has the effect of making it different from any other municipal corporation in England. For a corporation at common law has certain powers that are incidental to it. But the fact that by custom you may alter the constitution of the Corporation makes it a corporation by custom; that is to say, it alters its position at the common law—alters the incidents of its nature. I know that the power has been used even in recent times to effect alterations that could not have been effected by any other corporation, as far as I know. One of the best examples of that is the fixing of the number of Common Councilmen, which was done by an Act of the Common Council in 1840. Their number was reduced and fixed at 206, which of course is a very material change of the constitution.

4563. You say it has a power by custom, but it has been expressly confirmed by Charter?—By Charter.

4564. Whatever has been its origin?—It could not have been granted by Charter, because it runs contrary to the common law. Then I should like to say also with regard to it, that the validity of any byelaw or Act of the Common Council made under it can be tested in the Superior Courts.

4565. Under the proviso that it is agreeable to good faith and reason; or for what reason, under what limitation, is it open to be tested?—I do not think that even without that proviso the power of the Superior Courts would have been excluded, because you have to expressly exclude the power of the Superior Courts, for their jurisdiction is taken to extend to everything that is not expressly excluded, but no doubt the proviso does afford a measure of the validity of the custom that might to some extent guide the Court in considering it.

4566. Has there ever been a case you know of any Act of the Common Council being taken before a Superior Court, and its validity considered?—Yes, in Vanacre's case, which I referred to earlier, on page 10. It is reported in 1. Lord Raymond.

4567. What was that?—Vanacre was elected a Sheriff of London, and he refused to serve, and the Corporation recovered a fine of 500*l.* in the Mayor's Court—their own Court—under an Act of Common Council, which imposed this fine and regulated the distribution of it. I may say here that there was a

* *See also* Kemp, 5910-34.

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special writ; a special way of trying the validity of byelaws arising under this custom.

4568. A recognised writ, do you mean?—Yes, a writ of *Habeas corpus cum causa;* a writ that issues in other cases, but under which you would not try the validity of a byelaw of any other Corporation; and the reason of that is the existence of this custom. When the writ issues to an inferior Court to bring up the body and the cause, the Corporation have to make a return to it, and the return must be good. If it was a Corporation at the common law, the return, if good, would be good on the face of the return to the knowledge and within the jurisdiction and procedure of the Court to which the return was made. But in London, as the byelaws are made under a custom, it might be that there was a good return which the Court could not take cognizance of—would not know was good on the face of the return, and therefore it was that you were able in this case to inquire in a summary way by motion upon the return to the writ into the validity of the byelaw, and that was done in Vanacre's case. The writ issued and the Corporation returned the custom in the words of the Charter. It was Chief Justice Holt who gave the judgment of the Court, and he summarized the objections to the return and then answered them. The first objection to the return was that the office of sheriff had arisen within the City within living memory, it had been granted to the City, and that it was therefore bad to return a custom as dealing with that which had arisen since the reign of Richard I. Chief Justice Holt set aside that objection for the moment, and considered the validity of the byelaw as a byelaw made by a Corporation at the common law, but he afterwards returned to it, and said that it was not a good objection, because the custom was that you might make byelaws modifying things which should arise within the City, and that it was quite within the jurisdiction to make byelaws for an office which might have been granted later. He held that the byelaw was valid at the common law. But the point of the case, of course, in answer to your question, is that the custom was pleaded, and no one suggested that it was not a competent thing to try the validity of the byelaw under it, and I believe it has been done in other cases.

4569. And he held that it was a good custom to the length of being applicable to circumstances which arose within memory?—Yes. You might make byelaws under this custom, with regard to anything in the City that proved to be hard and defective, unless of course, you had an Act of Parliament against which it cannot prevail.

4570. (*Mr. Crawford.*) Has your attention been called to a case which is reported in 8 Coke Reports?—That was a question where the Court of Common Council had made an Act that no foreigner should trade within the City. An objection was taken to that on the ground that there was an Act of Parliament which said "that the Drapers as well as other "merchants should be free to sell in gross their mer-"chandise as well to any of the King's subjects as "to the citizens of London, notwithstanding any "liberty or franchise granted to the contrary." In that case (I think that was in 3 James I.), the Court held that the Act of Parliament did not override the Act of Common Council; the Act of Common Council, being made in pursuance of the right given by the Charter of Edward III., was good and in force?—I have not read the case, but I venture to suggest that it could be nothing more than a question of construction, that the Act of Parliament did not in fact attempt to interfere with the custom, because I should think—I may say it requires only to be stated to command assent—that if the Queen in Parliament has said with regard to anything that it shall be thus, there is no power in the land that can ever make it otherwise, except the Queen in Parliament.

4571. That is to say, Parliament is all-powerful, we know?—Then in that case there never can be any question as to an Act of Parliament, except a question of construction, whether in fact it has interfered with the custom.

4572. (*Chairman.*) It is impossible for a Court to hold that the Act of Parliament could not set aside the custom or its assertion, but the Court might well come to the conclusion that the Act of Parliament, as a matter of fact, did not do so?—Did not.

4573. (*Mr. Crawford.*) Has not done so?—That is how I take it.

4574. (*Lord Farrer.*) What do you consider to be the limitation upon the power of the City to make these alterations—nothing except what has been done or settled by an Act of Parliament?—Oh, yes, they must be reasonable. They would be tried probably upon the same grounds as other byelaws, except that of course it is a more extensive power. Their reasonableness, the nature of them, as right, or equitable, or reasonable, would, I should think, be tried upon the same principles as any other byelaw; but whether they are valid or not would not be so tried.

4575. (*Mr. Smith.*) Power to make an ordinary byelaw depends upon the Statute; the power to make these byelaws depends upon the custom?—It depends upon a Statute if a Statute has granted it; but of course it is incident to a corporation at the Common Law, they could all make byelaws.

4576. At the Common Law; but by the Municipal Act I think it is by Statute?—Yes.

4577. (*Chairman.*) But no ordinary corporation could make a byelaw affecting the number or distribution of its own Councillors?—No, it cannot alter its constitution by a byelaw.

4578. Whereas the Corporation of the City of London has affected the number of Common Councilmen contained within itself?—That is one instance.

4579. The only question that could arise would be as to the reasonableness of that action?—Yes, and I do not think that in such a case as that there would be any question of reasonableness. Where the question of reasonableness would arise would be where they attempted to make a byelaw which imposed restrictions upon certain persons, or interfered unduly with their rights.

4580. Then a byelaw which gives a fanciful representation to a particular area of the City, which was almost deserted in numbers, might be open to question as being unreasonable?—It might.

4581. (*Lord Farrer.*) And of course where Parliament has once either recognised or determined anything, the discretion of the Court to alter it by byelaw would be taken away?—Would end, yes. Of course the reason why I referred to the matter here was that in this very case of these elections it has almost in every case now been fixed by Statute.

4582. (*Mr. Crawford.*) That is as to the qualification?—Yes, it is as to the qualication of the electors; also to some extent as to the qualification of the persons elected.

4583. Certainly?—Not altogether, though.

4584. Not in every instance, certainly not?—No.

4585. (*Chairman.*) The question who had the power of electing the Lord Mayor was set at rest by a Statute of George I.?—Yes; 11 George I., chapter 18. It gives to the freemen of the City, who had been liverymen of a Company for a year, the right to elect in Common Hall, a right, I should say, in connexion with the election in Common Hall of the Lord Mayor, because there are two steps in the election; he is selected from the Aldermen who have served the office of Sheriff. First two candidates are nominated by such persons as have been liverymen of a Company for one year, and are freemen of London; and secondly, he is selected from these two by the Court of Aldermen.

4586. That limitation of eligible persons has existed a long time, and has never been questioned, to your knowledge?—To my knowledge, no. I do not know that it is a legal limitation.

4587. (*Mr. Crawford.*) It might be correct, might it not, Mr. Kemp, to put it the other way round, that

two men are selected by the liverymen and returned to the Court of Aldermen, and the Court of Aldermen elect one of these two?—That is what I said.

4588. You use the term "select"—the Court of Aldermen select; it is rather the liverymen "select," and the Court of Aldermen "elect." You may not have meant to use the term "select," but you did use it?—They are the words of the Report of 1837.

4589. (*Chairman.*) They are almost interchangeable?—Yes.

4590. Did that same Statute of George I. fix for all purposes the persons entitled to vote in Common Hall?—Yes. The other officers elected in Common Hall are elected by the same constituency. They are the Sheriffs, the Chamberlain, the Bridgemasters, and the auditors of Chamberlain's and Bridgemasters' accounts. I do not know that there are any others.

4591. (*Mr. Crawford.*) The Ale-conners?—The Ale-conners.

4592. I believe they have a very important privilege?

4593. (*Chairman.*) The question I asked was whether the Statute of George I. extended to those elections?—It does; the same constituency elect those officers.

4594. That I understand; but was the constituency fixed by that Statute?—It was fixed by that Statute, and, as far as I have been able to find out, there is a great deal of doubt as to who were entitled before that. I do not think it is at all a certain thing that the liverymen were for a very long period entitled to elect the Lord Mayor, and I find in history that when the Statute was passed the citizens of London received it so badly that the guards had to be doubled at St. James's Palace and Somerset House.

4595. (*Lord Farrer.*) By what influence was the Statute passed, do you know?—By the influence of the Companies, which was very strong; and they were supported, I think, by the Court of Aldermen. The other constituent parts of the Corporation, the citizens and the Common Council, were opposed to it as infringing their right.

4596. (*Chairman.*) We proceed to the office of Lord Mayor. I am a little surprised—it is a statement of no importance—but you say the escheats were so rare in the City that one had not occurred for 30 years?—I do not know that one has not occurred for 30 years. One had not occurred for 30 years, it was said, in 1837.

4597. The escheator?—That officer is an ancient county officer; his duties are to find out the escheats of the Sovereign in the City, and certify them to the Treasury. It, of course, is not of much practical use.

4598. (*Mr. Smith.*) No. Is there any special feature about their being rare in the City; they are not, of course, common anywhere?—Unless the great value of property there has something to do with it, I do not know.

4599. (*Chairman.*) I see the Lord Mayor has a seal of his own?—He has a seal, which is affixed to certain documents.

4600. He is not a Corporation in himself?—I think not. I have not looked for that; it did not occur to me; but I do not think he is.

4601. It is one of the chief marks of a Corporation sole to have a seal?—To have a seal—yes.

4602. (*Mr. Smith.*) Do you happen to know, is that an ancient seal, or has it been adopted recently for modern convenience?—Oh, he certainly has had it for a long time, but what the origin of it was I do not know.

4603. Of course every man had his own seal originally under which he executed deeds?—I think it is nothing more than that.

4604. (*Chairman.*) It applies to certain proceedings which must be of considerable antiquity—the exemplification of the freemen?—Yes.

4605. That must been of importance for a long time?—Yes.

4606. (*Mr. Crawford.*) There was a seal in connexion with the Mayor's Court, the ancient Court of the City—a Mayoralty seal. It used to be kept at the Mayor's Court; for a very long time it used to be affixed there.

4607. (*Mr. Smith.*) Is it affixed to all processes issuing out of the Court.

4608. (*Mr. Crawford.*) No; the seal Mr. Kemp is referring to is a seal which is put on documents which are going to be sent abroad?—Yes.

4609. I think Mr. Kemp will find, when he makes inquiry, that the Mayoralty seal was in existence in 1381.

4610. (*Mr. Smith.*) Oh, yes.

4611. (*Chairman.*) I think you make some statements here which are a little at variance with information which we have received elsewhere, about the Lord Mayor being Chairman of every Committee that he attends, and Chairman of the Commissioners of Sewers?—He is certainly Chairman of the Commissioners of Sewers by Statute. The statement that he is Chairman of every Committee that he attends I have made upon the authority of the Report of 1837; I am not sure whether it is not also in the Report of 1854—I cannot say.*

4612. (*Mr. Crawford.*) Sir John Monckton corrected a statement which had been previously made by Sir David Evans, and said No; the Lord Mayor is not *ex-officio* Chairman of the Committees; as a matter of fact, of course, every Committee chooses its own Chairman.†

4613. (*Mr. Smith.*) And they told us that if the Lord Mayor appeared at the Committee they stopped the business to see what he wanted?—It is so stated in the reports of previous Commissions, but of course the evidence may have been wrong.

4614. (*Chairman.*) You say he is by Statute Chairman of the Commissioners of Sewers?—Yes, that is so.

4615. But he does not actually fulfil the functions of that post, does he?—The Lord Mayor is the Chairman; the Recorder and the Common Serjeant are *ex-officio* members. That is under the Act of 1848—the City Commissioners of Sewers Act of 1848.

4616. Then *de jure* the Lord Mayor is Chairman?—I think the Lord Mayor is, yes,—by the Statute.

4617. (*Lord Farrer.*) Much the same thing happens with the Conservancy Board. I think the Lord Mayor does not often attend, but when he does attend he takes the chair?—He is Chairman by Statute there, I think.

4618. (*Mr. Crawford.*) If you turn to the 17th section of the City of London Sewers Act of 1848 it makes it perfectly clear: "Be it enacted, that at "every meeting of the Commissioners the Lord "Mayor, if present, shall preside as Chairman, "instead of the Chairman who may be appointed "by the Commissioners under the authority herein-"after contained"?—It is clear that by Statute he is the Chairman, but as a matter of practice——

4619. (*Chairman.*) He is a superseding authority, but the Statute apparently recognises the other Chairman as well.

4620. (*Mr. Crawford.*) It recognises the power to appoint another Chairman?—Yes.

4621. (*Chairman.*) With respect to Aldermen, you have here a corrected statement, I think, of the Ward of Bridge Without; at least a slightly different statement‡?—Yes.

4622. The Senior Alderman may remove to this Ward?—And if he declines, then the next in seniority may remove to it, and so on until all who have passed the Chair have refused, in which case the Common Council elect any freeman.

4623. That has never happened, I think; it has never gone through all the Aldermen and been refused?—I do not know.

4624. You say with respect to the Court of Aldermen, "In its executive capacity the Court of Aldermen

* *But see also* Kemp, 5898–9.
† *See* Monckton, 2446; Evans, 2229.
‡ *See also* Kemp, 4523–33, 5898.

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"have a power concurrent with that of the Common "Council of ordering payments out of the City cash." Is it an equal power—equal in range?—No, I think not. It seems to be to some extent conflicting with the power of the Common Council. They make orders for payments with regard to things which specially concern the Court of Aldermen. They have not, at any rate, as great a power over the property because, for instance, the seal could only be used by the Court of Common Council, and therefore the Court of Aldermen could not deal with land.

4625. Could not convey?—Could not convey. I do not know the limits of their power of spending money; this is all the information I have about it.

4626. You know to some extent?—That they have that power; that they do spend money.

4627. But it may be within strict limits?—I have not seen it so stated anywhere.

4628. (*Mr. Crawford.*) That appears, I think, from an answer that Mr. Gomme gave me. I asked him whether he was aware that, as matter of fact, the Aldermen restricted their payments to matters which came within the purview of the Court of Aldermen, mostly in magisterial work, and he understood that was so?—They also vote money for charitable purposes. I have noticed payments on account of pensions, I think, to widows and orphans of freemen which are partly voted by Aldermen.

4629. We had that cleared up on the last occasion. That is the annual grant which is made for Christmas doles?—But this is made, is it not, by the Court of Aldermen and also by the Court of Common Council; they appear separately. I have no doubt that is so.

4630. (*Chairman.*) Is it true that the Court of Aldermen can remove the Commissioner of Police for cause without the concurrence of any other authority?—Yes, that is so; the Queen and the Court of Aldermen are mentioned in the Statute distributively.*

4631. (*Lord Farrer.*) They can do it without the consent of the Queen or of the Home Secretary?—Yes.

4632. (*Chairman.*) Each can do it without the consent of the other?—Yes.

4633. (*Mr. Crawford.*) That is clear in the City Police Act of 1839?—Oh, yes.

4634. (*Chairman.*) You assume, on page 18, the question of the legislative power of the Court of Common Council?—Yes, I have stated it again.

4635. You give some evidence of interest as to the procedure in the Court of Common Council?—Yes.

4636. Founded on, or at least analogous to, the practice of the House of Commons?—Of the House of Commons, yes. "A byelaw, or Act, or Ordinance "(which all signify the same thing) is read three "times, and after the third reading the Town Clerk "puts the question that this Act do pass and become "a law of the City."

4637. And there is a distinct interval, I suppose, between those stages?—Yes.

4638. Or readings of the byelaw or Act?—Yes.

4639. (*Lord Farrer.*) No officer of the Council has a right to speak?—Unless called upon, I think not.

4640. Do you know whether he is ever called upon to speak?—No, I do not.

4641. (*Mr. Crawford.*) Continually so.

4642. (*Lord Farrer.*) Constantly?

4643. (*Mr. Crawford.*) It is open to any member in the Court to rise in his place and say that he wishes to ask a question of one of the officers at the table. The question is then put, and the Town Clerk, by the direction of the Lord Mayor, asks the Court whether it is the pleasure of the Court that the question should be answered. If the vote is in the affirmative the question is answered

4644. (*Lord Farrer.*) That is only an answer to a question.

4645. (*Mr. Crawford.*) To a question.

4646. (*Lord Farrer.*) Does he ever give an argument or state a reason?

4647. (*Mr. Crawford.*) Oh, certainly.

4648. (*Lord Farrer.*) He does?

4649. (*Mr. Crawford.*) It has fallen to my lot to address the Court for two hours in connexion with an explanation of legal proceedings or matters of that kind.

4650. (*Chairman.*) It is necessary that there should be the presence of the Lord Mayor and a couple of Aldermen at the sitting of the Common Council?—Yes.

4651. But their votes do not count in any way apart from the votes of any other members of the Court of Common Council?—No.

4652. It is not necessary to have the concurrence of the two orders of Aldermen and Common Councilmen?—No.

4653. I pass on to the question of the citizens of London. You tell us the freedom can be acquired in three ways?—Yes. I might say four, if you divide redemption into redemption and gift, but gift used to be regarded as included practically in redemption. By patrimony or birth, by apprenticeship or servitude, by redemption from the Court of Aldermen.

4654. (*Lord Farrer.*) Are there no citizens except those who are freemen?—No, not strictly speaking, a "citizen" means one who is free of the City.

4655. But are there no persons who have a vote for the Common Council who are not free?—Yes.

4656. Well, does not that make them citizens?—Well, I have suggested a question.

4657. (*Chairman.*) You call them Corporators?—It is possible that it has that effect. It is a difficult thing to say. But non-freemen are electors in the Wards, both of the Aldermen and the Common Council, and have been since 1867.

4658. (*Lord Farrer.*) And they form the constituent body?—They form the constituent body.

4659. (*Chairman.*) Freedom by apprenticeship or by patrimony is conferred upon both sexes?—Yes.

4660. Women being called sisters?—Yes, certainly, by patrimony the freedom is conferred on both sexes, and I think it is, I know it was, by apprenticeship, but in the City statement it seems to be confined to patrimony, and therefore I would not like to be very sure. It may be that there are no female apprentices now.

4661. And has a woman freeman the right of joining in the election of men freemen?—No; because the election is fixed by Statute, and the words of the Statute are, "any male person, not otherwise disqualified"—if I remember aright. Anyone who has the qualification mentioned may elect.

4662. "Every male person," page 13?—Yes. "For Alderman, or Common Councillor, or Ward officer."

4663. That was cumulative, I think you say somewhere that the old franchises were not removed by that statute, page 18?—Yes, that is thought to be so.

4664. "This qualification does not exclude the old "qualification of being a freeman householder in the "Ward, paying scot and bearing lot"?—That is said to be so by Mr. Pulling, and, I think, by other persons who were familiar with the laws of the City. Whether in practice any such person is found and does vote I do not know.

4665. But the Statute does not necessarily exclude?—The Statute does not necessarily exclude such a qualification.

4666. (*Mr. Crawford.*) There is a customary qualification?—Yes, "a freeman who is a householder "of a ward paying scot and bearing lot."

4667. (*Chairman.*) You do not know whether a woman fulfilling this condition does vote or has the power of voting?—No, I do not know.

4668. Then freedom by servitude is acquired by apprenticeship recognised at the close of the apprenticeship by the Chamberlain?—Yes.

4669. Who admits the claimant?—Yes.

* *See also* Kemp, 4842.

4670. And freedom by patrimony?—"All children, "male and female, of a freeman, born after his admis- "sion, may claim their freedom when they come of "age."

4671. (*Mr. Holt.*) Born anywhere, or in the City?—Born anywhere; oh, yes.

4672. (*Chairman.*) But that does not apply, apparently, to children of a free sister?—No, not if she marries a man who is not a freeman.

4673. Then, of course, as to children by a freeman husband, the question would not arise?—No. (In further answer to Mr. Holt.) They may be born anywhere. Indeed, not only that, but many other customs of the City of London follow the person of the freeman wherever he goes; the custom of the distribution of his estate used to while it was in force.

4674. And then freedom by purchase?—Freedom by purchase is obtained in three cases. It is necessary to get it—"First, where there has been a breach of "the apprenticeship indentures, as by contracting "matrimony, or not serving the full time. Secondly, "where persons, not aliens, are admitted as a mark "of distinction for public services. In this case the "freedom is, properly speaking, obtained by gift. "Thirdly, where the admission is by presentment "of the Chamberlain, or some person entitled by "grant to confer a freedom. All these are obtained "from the Court of Aldermen, but when the person "applying is an alien, or alien's son, the consent of "the Common Council is required."

4675. You say freedom by admission as a mark of distinction; it is more properly a gift?—It is so described in the Statutes. I rather think the Act of 1835 spoke about freedom by redemption or gift.

4676. The original meaning of "purchase" did not necessarily imply payment of money?—Did not necessarily mean payment. But still the terms are used together, I think, in the Act of 1835.

4677. (*Mr. Crawford.*) In the City it is called "honorary freedom"?—Honorary freedom; yes, sir.

4678. (*Chairman.*) Is that the official way, or is it a phrase merely in common use? Is that the official designation?

4679. (*Mr. Crawford.*) Yes, the term "honorary freeman" has been in use for a good many years.

4680. (*Chairman.*) Was there any distinction between what you call an honorary freeman and an ordinary freeman in his rights and privileges?

4681. (*Mr. Crawford.*) Well, I am not prepared to say.

4682. (*Chairman.*) A freeman, I imagine, when admitted, is a freeman for all purposes. It only refers to the way in which he gets in?—Yes.

4683. (*Mr. Crawford.*) You see that an honorary freeman is always presented through some Company, and therefore he gets his rights otherwise.

4684. (*Mr. Smith.*) The term honorary freeman has become statutory, because there was an Act passed a little while ago enabling other boroughs to give the title of honorary freeman; but it was expressly provided that it should not carry any privileges.

4685. (*Chairman.*) You say, "Down to 1835 "persons could only become free of the City through "the Companies, but since then it has become the "common practice for the Chamberlain to admit "persons to the freedom without reference to any "Company"?—Yes.

4686. Would that be what you were telling us?

4687. (*Mr. Crawford.*) There might be a case where an honorary freeman would have no Company at all, and then he would be presented by what we call compurgators?—I am not speaking, pardon me, of honorary freemen.

4688. But that was the point the Chairman put to you?—I mean I am not referring specially to any class of freemen, but to freemen generally. There is a misprint in this line, it should be "1835"; immediately after—"In most cases in which the freedom "is obtained by redemption."

4689. (*Chairman.*) Yes, instead of "1838"?—Instead of "1838." I am not sure that I have made a right correction. I thought it referred to what came before.

4690. That is a different thing?—Yes.

4691. Well, you can tell us what that was—that resolution?—The resolution:—"In 1838 the Common "Council resolved that all persons occupying premises "and carrying on any trade, business, or profession, "within the City, or its liberties, should be com- "pelled to be free. The process of enforcing the "privilege of exclusive trading was an inquest of the "Ward, followed by a summons to attend before the "Chamberlain, and show cause why a prosecution "should not take place. If the party did not appear "after being summoned three times, the Chamberlain "directed a prosecution in the Lord Mayor's Court, "to recover the penalty of 5*l*. The right of ex- "clusive trading was abolished by an Act of the "Common Council of the 18th December 1856."

4692. It had become impossible, in fact, to enforce it?—I believe that to be the case.

4693. Now, trading is open to any one?—Now, trading is open to any one. It was never enforced except as against retail trade, as far as I know, though the custom appears to have been large enough to have extended to wholesale traders if the City had chosen to enforce it.

4694. And the customs of the City apply only to freemen?—Only to freemen.

4695. That custom of market overt?—No, that is a local exception to the common law; also customs connected, for instance, with the City Courts, like the custom of foreign attachment, such customs as relate to the processes of the Court; but wherever the custom confers a privilege or is personal to any man, then I think it is confined to the freemen, who alone are citizens, other persons being regarded, at any rate formerly, as foreigners and strangers.*

4696. You say the Corporation can disfranchise as well as enfranchise?—Yes, that is a power at the common law.

4697. Is that exercised?—It has been. It is exercised by the Lord Mayor's Court. The jurisdiction is in the Lord Mayor's Court.

4698. Recently?—I am not aware that it has been. I should think not.

4699. For what kind of cause?—I remember cases in which it was held that the cause was not sufficient—for instance, insulting an Alderman was held not to be a sufficient cause for disfranchisement.

4700. (*Lord Farrer.*) I suppose it is not practically exercised, or very rarely?—I think the last case was the case of a broker, who contravened the rules of his profession; but I do not distinctly remember.

4701. Do you know whether the number of freemen is increasing or diminishing? Do you know as a matter of fact?—I do not know.

4702. What real, actual advantage has a freeman now, either in the way of privilege or power or property?—Well, if he is also a liveryman, you know, he has the Parliamentary franchise, and, of course, also, he elects the Lord Mayor—if he is a liveryman; but as a freeman alone, I am not aware that there is anything.

4703. (*Mr. Smith.*) He is eligible to offices that the City have?—Oh, yes; that is so.

4704. That is an important thing?—Yes.

4705. (*Chairman.*) His widow may be a recipient of——?—As far as property goes, there are things of course which I should have mentioned. I did not realise the scope of your question. There are various schools,—there is the Freemen's Orphan School; and there are many almshouses and charities, which are confined entirely to freemen. They obtain advantages in that way.

4706. (*Lord Farrer.*) Quite so; under special trusts or appropriations?—Yes; although largely supported out of the general property of the Corporation.

* *See also* Kemp, 5910–34.

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4707. (*Chairman.*) Voluntary benefactions?—Yes. The money expended upon these schools, although to some extent it may be obligatory under a trust, is generally largely in excess of what there is any obligation to spend.

4708. (*Lord Farrer.*) And I suppose the City might, if they had pleased, have spent a great deal more upon freemen than they have?—Yes.

4709. There is nothing to prevent them doing so?—Nothing.

4710. (*Mr. Smith.*) Is there a freemen's roll in existence?—Yes, I believe there is; but I have never seen anything about it except extracts from it of distinguished persons who are on it. But I take it that it is a roll which applies to all the freemen, and contains the names of all the freemen of the City.

4711. So that we could know how many there were?—I must not state this positively; I do not know.

4712. (*Chairman.*) Well, now, we proceed to the City Courts. Here we shall have to take your evidence in some detail. The most ancient is the Court of Hustings?—Is the Court of Hustings.

4713. What can you tell us about that?—"It consists of two divisions. 'The Husting of Pleas of "of Land,' and the 'Husting of Common Pleas.' "The Judges in both divisions are the Lord Mayor "and the Sheriffs. The Husting of Pleas of Land "had cognizance of all real actions, and the Husting "of Common Pleas had cognizance of all mixed "actions except ejectment. All real and mixed "actions within the jurisdiction of this Court were "abolished by the Common Law Procedure Acts, "1852." That is to say, all mixed actions except ejectments. "The City of London is not specially "named in that Act, and there may be a doubt "whether such actions could not still be lawfully "brought in the Court of Hustings. But the ques"tion is not likely to arise, for if those actions have "not been abolished by Statute they have become "obsolete because of their inconvenience. The Court "of Husting of Common Pleas was also the Court "of Appeal in Error from the Sheriff's Court. This "jurisdiction has also been lost, as the jurisdiction "of the Sheriff's Court has practically been limited "to the statutable powers now exercised by the City "of London Court, and appeals lie to a Divisional "Court of the High Court of Justice. The Court "of Hustings is the proper Court for the enrolment "of deeds and wills in the City of London, but no "wills have been enrolled since 1668, and the deeds "enrolled are few, and consist principally of deeds of "gift for founding scholarships at the City of "London School."

4714. Is there any reason why those should have been enrolled?—No, not that I know of. This statement I take from the book that is published by the Corporation of the City of London: "The Calendar "of all the Wills enrolled in the Court of Hustings," and it states the date at which they stopped, and in the Introduction it is also stated, what I have said here, that the only deeds now enrolled are such as I have described.

4715. Had that suspension of the enrolment of wills anything to do with the transactions between the Crown and the City before the Revolution and the Statute passed on the accession of William and Mary, or was it accidental?—I do not know.

4716. Now, it may be held that the Court of Hustings is quite obsolete?—I think so. I do not know of any power that it really exercises.

4717. The Corporation have introduced Bills formerly to abolish it?—They have twice introduced Bills for that purpose, but they did not pass.

4718. You have no information to give us at all why they did not pass?—No.

4719. Parliament could scarcely have been reluctant, I should think?—There was a proposal, a clause in the Mayor's Court Procedure Act of 1857, which was rejected by the House of Lords.

4720. (*Lord Farrer.*) Do you know why?—No.

4721. (*Mr. Crawford.*) What Bills are you referring to as being introduced in 1867 and 1871, Mr. Kemp?—I do not know more about them than that at this moment. That is stated in the introduction to the Calendar of the Wills enrolled in the Hustings.

4722. I only wanted to know. You do not mean Bills simply for the purpose?—I should think not.

4723. Certain Bills may have been introduced in those two years, and they may have contained clauses for the abolition of the Court of Hustings; but you cannot give us any further information?—At present I cannot. I have not looked at the titles of those Bills.

4724–5. (*Chairman.*) It would be well, I think, to have them looked up, because we can quite understand a Bill of a multifarious character being opposed and being dropped?—Yes.

4726. But a simple Bill for the abolishing of an obsolete Court, even the decrepitude of Parliament would be equal to that?—I will look for these Bills.*

4727. (*Lord Farrer.*) At any rate it shows that the Corporation have entertained the idea of abolishing it?—Yes. What was in my mind was that apparently they do not regard it as of importance to preserve it.

4728. (*Chairman.*) Then tell us what the next Court is—the Lord Mayor's Court?—"The Lord "Mayor's Court, the legal style of which is 'The Court "of our Lady the Queen holden before the Lord "'Mayor and Aldermen in the Chamber of the "'Guildhall of the City of London,' is a customary "Court of Record existing from time immemorial. "It has jurisdiction both at common law and in "equity. On the common law side the Court con"sists of the Recorder or the Assistant Judge, trying "with a jury. Originally there were by custom four "common pleaders, but their privileges were put an "end to about 1852 by arrangement. There were "also by custom four attorneys entitled to exclusive "practice. They held their offices by purchase, with "right of alienation."

4729. Pleaders and attorneys were both possessed of exclusive privileges?—They were; yes. "In 1843 "an Act was passed for consolidating and amending "several of the laws relating to attorneys and solici"tors practising in England and Wales. By section "27 of that Act persons duly admitted in one of the "Superior Courts at Westminster, were declared to "be capable of practising in any of such Superior "Courts of law, or in any inferior Courts of law in "England and Wales, upon signing the roll of the "Court. In 1847, in the case of 'The Queen *v.* "The Lord Mayor and Aldermen of the City of "London' (13 Q.B. 1), it was held that the Lord "Mayor's Court was an inferior Court within the "meaning of the Act last referred to. The Court "was in this way practically thrown open to all "attorneys who had been admitted to practice in one "of the superior courts at Westminster, though "the judgment was reversed on appeal upon other "grounds of a purely technical nature."

4730. Was it not acted upon between 1847 and 1852? In 1852 those exclusive privileges were put an end to by arrangement?—Yes; in the case of the four common pleaders. But I then give an explanation of the abolition of the rights of the attorneys.

4731. Then the common pleaders were compensated?—I think they were.

4732. (*Lord Farrer.*) And that case, though reversed on appeal, has been held operative on the point in question?—It had the effect of a decision that the Lord Mayor's Court was an inferior Court, which has since been held in other cases, notably the case of "Cox *v.* The Mayor, &c. of London."

4733. (*Chairman.*) The reversal did not touch the substantial question?—No, it did not.

4734. (*Mr. Crawford.*) But the Corporation itself, did it not, by making an arrangement with the attorneys and buying up their offices when they could, practically throw the Court open?

* *See also* Kemp, 6156–7.

4735. (*Mr. Smith.*) Was not the Court thrown open before by the admission of attorneys?

4736. (*Mr. Crawford.*) No, not necessarily so. It was simply held that the Court was an inferior Court. And then that decision was reversed. But in 1853 the Corporation itself threw the Court open, and had to pay compensation in order to do it.

4737. (*Chairman.*) Did it compensate the attorneys as well as the pleaders?

4738. (*Mr. Crawford.*) They were compensated certainly?—All the attorneys?

4739. Certainly?—My information is that this is how the attorneys got into the Court—that it was under the power of that Statute, of section 27, of 6 and 7 Victoria, chapter 73—that that did legally enable any attorney who had been admitted in the Superior Courts to practise in the Mayor's Court on the ground that it was an inferior Court, and therefore within the words of the Statute.

4740. Yes; but I think you will find that what were then called the attorneys of the Mayor's Court had peculiar privileges, which, notwithstanding the admission of the large body of attorneys to the Court, were not overridden. With a view to getting rid of these exclusive privileges, I think the Corporation itself threw the Court open, and in order to do so had to make arrangements with those attorneys.

4741. (*Chairman.*) Something analogous to pre-audience.

4742. (*Mr. Smith.*) Pre-audience I was going to say?—That may be.

4743. (*Mr. Crawford.*) I think you will find that was so. I am not aware that the pleaders were compensated. But I know, if you look at the accounts, you will find with regard to the Mayor's Court attorneys that they were?—I have not said anything inconsistent with that, so far as I know, here. I have merely pointed out the manner in which I think the Court really became, under this Statute, open to the practice of any attorney who had been admitted in the Superior Courts.

4744. (*Chairman.*) Well, now, the Mayor's Court has been taken in hand by the Legislature, and there have been several Statutes passed dealing with this organisation?—Yes. The principal Statute is the Act of 1857, 20 and 21 Victoria, chapter clvii., Local. By this Act—the Mayor's Court of London Procedure Act—"certain functions and jurisdictions of the "Sheriffs' Court were abolished, and the powers of "the Mayor's Court were extended, and its practice "and procedure simplified."

4745. I think you might proceed to the result without going through the several points of change?—Unless, Sir, I might point out what I have at the bottom of page 21, a practical inconvenience that arises from the history of the appeals from that Court—that by section——

4746. The Exchequer Chamber was made the Court of Appeal in place of the Special Commissioners?—The Exchequer Chamber was made the Court of Appeal in place of the Special Commissioners of St. Martin's-le-Grand. That is, it was made the Court of Appeal in Error. Then at that time, "on all matters of law, and the admission "or rejection of evidence, an appeal was given to two "puisne Judges or Barons of any of the Superior "Courts at Westminster." "By section 18, sub-"section 4, of the Judicature Act, 1873, the juris-"diction and powers of the Court of Exchequer "Chamber were vested in the Court of Appeal, and "by Order LVIII., r. 1, proceedings in error are "abolished, and all appeals to the Court of Appeal are "required to be by way of re-hearing, and brought "by notice of motion in a summary way. The result "is that the grounds of an appeal from the Mayor's "Court have to be carefully considered in order to "determine the proper tribunal to which the appeal "lies. If the ground of appeal is a defect appearing "upon the record" (which would formerly have been dealt with by proceedings in error) "the appeal "lies to the Court of Appeal, but in all other cases to "a divisional Court." Since one has ceased to consider the question of whether an appeal is an appeal in error or upon other grounds, it obviously lays you open to mistake.

4747. (*Mr. Crawford.*) But you do not complain of that surely, as a member of the Bar, do you?—There was this case in which it happened.

4748. I should think, though, that was rather an advantage, Mr. Kemp, than otherwise?—Oh.

4749. (*Chairman.*) To bewilder the appellant?—The most important and peculiar power that was, or is possessed, by suitors in the Mayor's Court is the process of foreign attachment. "The evi-"dence given by commercial men before the Com-"missioners in 1837 shows a great difference of "opinion as to the value of this process; but the "Commissioners reported with regard to it that it "cannot be expedient that the law on this subject "within a small district should be different from that "which is the general law of the land, and the in-"convenience of such a difference must be greatly "aggravated when it exists between adjacent quarters "of the same commercial town."

4750. (*Mr. Crawford.*) Might we not come down to a little nearer the bottom of the page, because I think you sum it up—"the result is that the custom "has became of little value," because of certain difficulties?—Yes.

4751. We hardly need go through all the causes which led to that?—That is as the Commissioners think.

4752. (*Lord Farrer.*) It is practically at an end?—It is not at an end.

4753. (*Mr. Crawford.*) It is not at an end; but the Court has held that you must absolutely follow the custom, and there is such extreme difficulty, particularly since the introduction of limited liability companies, that practically it has fallen into disuse.

4754. (*Lord Farrer.*) Practically it is not used now?

4755. (*Mr. Crawford.*) It is not used now?—The principal use of it, I suppose, was to attach a man's balance at his banker's, if he owed you a debt; and as most bankers now are Corporations, and it has been held that the process did not apply to a Corporation, of course such cases as that are excluded. Then it was generally more or less a fictitious proceeding. You called a man and he did not appear, but just like many of the old proceedings in the Superior Court, it was a fiction—the summonses and much of the intermediary part of the process were fictitious. The Courts have held now that that will not do, and that you must really observe strictly and truly every part of the customary process.

4756. (*Lord Farrer.*) Did the fact that the debt was owing by somebody within the City give jurisdiction?—Formerly the City contended for a very wide jurisdiction in this respect. They said that "it "was the custom of the City to sue any person "whether he was in the City or out of the City for "any debt whether it had accrued within the City or "out of the City, and for that purpose to attach any "garnishee, whether resident in the City or not "resident in the City, if they could catch him within "the City."

4757. That is to say if they found a man had a balance with a banker within the City, that of itself was alleged to give jurisdiction?—If he was within the City, though his bank and the balance were outside, it was still enough; at least, it was held so.

4758. (*Chairman.*) If they could catch the bankers.

4759. (*Lord Farrer.*) If they could catch the banker inside.

4760. (*Chairman.*) If they could decoy the banker?—Yes, that is the meaning.

4761. (*Mr. Smith.*) So that if they could catch Sir Thomas Coutts within the City they could attach the banker's balance in the Strand?—Yes.

4762. That was only the contention?—But it has been done.

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4763. (*Mr. Crawford.*) It is all summed up in the short judgment of the Lord Chancellor in that case which you refer to—"The London Joint Stock Bank *v.* The "Mayor, &c. of London." "Nothing," said the Lord Chancellor in his judgment, "which has taken place "in the case will, in my opinion, throw any doubt "upon the validity of the custom if duly and properly "followed in cases which really fall within it?"—That is a very negative way of stating it, because, of course, when you look at it positively you will find that the result of the decisions is that practically everything——

4764. (*Chairman.*) There is great difficulty in following a custom exactly?—Very little good.

4765. There is a very living and real process analogous to it in Scotland, is there not?—Arrestment, yes. You can arrest wages, for instance, in Scotland.

4766. Yes, and you could bring an action against a newspaper here by arresting any money due to that newspaper in Scotland?—You found jurisdiction in that way; yes, that was done in the *Times* case.

4767. And the *Saturday Review*—"Campbell *v.* "*The Saturday Review*?"—Yes.

4768. (*Lord Farrer.*) Practically this custom has so far fallen into disuse that it is of no importance?—I do not think it is of much.

4769. (*Chairman.*) What other special jurisdiction exists in the Lord Mayor's Court?—There is a power of sequestration—a customary power; it was a power where a debtor absconded and left property locked up in a house or warehouse with nobody in charge; you could get the Sergeant-at-Mace, I think, to take possession of it, and then you got, after several days—I think after four days—you got a warrant by which you could obtain possession of it, and have it valued and sold for the debt, giving an undertaking to restore it if it should turn out that the debt was not due. I think that is a correct description. Its jurisdiction in disfranchisement is its jurisdiction as a court to exercise the power of taking from a man, for reason, his freedom of the City.

4770. The presiding officer is the Recorder?—Is the Recorder.

4771. And he now cannot exercise judicial functions without the sanction of the Crown?—No, that is under the Act of 1888—the Local Government Act.

4772. So that is a local court now more directly connected with the Crown than formerly, although the Corporation nominate, the Crown's consent is necessary?—Under the same Act the Crown now appoints the Judge of the City of London Court.

4773. (*Lord Farrer.*) There is no limit to the amount?—Oh, no.

4774. And what gives jurisdiction in the Mayor's Court? Under what circumstances can an action be brought into the Mayor's Court? Is it when the defendant is within the jurisdiction?—Yes.

4775. (*Mr. Crawford.*) Or the cause of action arises within the jurisdiction?—Or the cause of action arises within the jurisdiction.

4776. (*Lord Farrer.*) If the contract has been made in the City?—If the contract has been made in the City, yes.

4777. Then upon any contract made in the City proceedings may be taken in the Mayor's Court?—In the Mayor's Court, yes.

4778. Are suits about very large transactions ordinarily taken in the Mayor's Court?—I have no personal knowledge of the practice of that Court.

4779. Of the enormous quantity of business that arises in the City is there any very large proportion that causes litigation in the Mayor's Court?—I do not know what proportion.

4780. (*Mr. Crawford.*) If you turn to the Blue Book of the Corporation, you will find that the amounts are large.

4781. (*Lord Farrer.*) Very large?

4782–4. (*Mr. Crawford.*) Certainly. It is a very favourite Court, because you have the advantage of a special jury, and you get good Queen's Counsel down there, and their fees are allowed, and certainly the jurisdiction of that Court and the business of the Court is increasing. That is followed by a tabulated statement of the number of actions and showing the increase of the business. Page 90, I think, gives you the latest details.

4785. (*Lord Farrer.*) Now that the custom of foreign attachment is practically at at end, has a plaintiff any special advantage in the Mayor's Court.

4786. (*Mr. Crawford.*) He has a special advantage in the Mayor's Court, over an ordinary County Court, as I explained to you before.

4787. (*Lord Farrer.*) Over an ordinary County Court?

4788. (*Mr. Crawford.*) Yes, he has a special jury, if he wishes it, and of 12 good men on a common jury.

4789. (*Lord Farrer.*) He has a very superior judge—the Recorder.

4790. (*Mr. Crawford.*) I am afraid you must not ask me to say that, because the Recorder of the Mayor's Court is one of our officers.

4791. (*Lord Farrer.*) The Recorder is generally a superior lawyer, is he not?

4792. (*Mr. Crawford.*) We have always prided ourselves on our Judges in the Mayor's Court; certainly in regard to our Recorders. Page 90—you will see it summed up there, Lord Farrer. It gives you the different amounts and the number of actions for the last four years.

4793. (*Chairman.*) Now, there is another Court, formerly called the Sheriff's Court?—It was formerly ——

4794. Now the City of London Court?—"The "City of London Court. Prior to the County "Court Act, 1867, this Court was known as the "Sheriff's Court of the City of London."

4795. That is a County Court practically, within the City?—Its jurisdiction now is practically except——

4796. It is a County Court for all intents and purposes, but the Judge has not been appointed by the Queen?—The Judge is appointed by the Corporation; he is now appointed by the Crown.

4797. He will for the future?—He has not hitherto been.

4798. The receipt of fees and the payment and fixing the salary—those are within the authority of the Corporation?—Of the Corporation. The fees are the same as in the County Courts.

4799. But might be different?—No; they are declared by Statute; section 185 of the County Courts Act of 1888 consolidated the provisions of the County Courts Act relative to the City of London Court.

4800. (*Mr. Crawford.*) That contained a special reservation of certain of the City's privileges in regard to that Court?—Yes, it did contain a special reservation, and I think the principal point which makes the difference is the use of the word "employment" in section 39 of the Act of 1852, which enables you without leave to issue a writ against a person who does not reside in the City, but who has employment there.

4801. It enables you to sue clerks employed in the City where you do not know their private address?—Yes.

4802. But the section I was referring to—I have it here—is the 185th section of the County Courts Act, 1888—I will read it for the information of the Commissioners—"The Court held by virtue of the "London (City) Small Debts Extension Act, 1852, "shall be held by the name of the City of London "Court, and shall be a Court of Record, and its "decisions shall be subject to appeal in the same way "and on the same conditions as the decisions of a "County Court are subject for the time being. The "Judge and officers of the City of London Court "shall respectively have and exercise the like "jurisdiction, power, and authority in all respects, "except the power of appointing officers, as are for

" the time being possessed and exercised by the " Judge and officers respectively of a County Court " The rules and orders in force for the time being for " regulating the practice of and costs in the County " Courts, and forms of proceedings therein, shall be " in force in the said City of London Court to the " exclusion of any other rules and orders; and the " same fees shall be taken for proceedings in which " jurisdiction is hereby given to the Court as upon " similar proceedings in the County Court, and such " fees shall be applied in the same manner as the " fees taken under the provisions of the said London " (City) Small Debts Extension Act, 1852; provided " that nothing in this Act shall take away, lessen, or " diminish any of the powers, rights, or privileges of " the Judge of the said Court or the authority of the " Mayor, Aldermen, and Commons of the City of " London in Common Council assembled in relation " to such Court, or to the Judge or officers thereof, " or to the fees taken therein, as such powers or " authority heretofore existed." That was the reservation clause I was drawing your attention to.

4803. (*Chairman.*) That is modified by the important provision placing the appointment of the Judge of the Court in the hands of the Crown?—Of the Judge.

4804. (*Mr. Crawford.*) Except that the Corporation, you see, can give a salary and then take the fees, whereas in ordinary county courts it is different?—Oh, I think I have stated the property.

4805. (*Lord Farrer.*) There was one difference in what you read from what there is in Mr. Kemp's paper: " Nothing in this Act shall take away, lessen, " or diminish any of the powers, rights, or the autho- " rity of the Mayor, Aldermen, and Commons of the " City of London "; you read it " the powers of the " Judge of the Court."

4806. (*Mr. Crawford.*) So it is; that is how it is in the Act—" the rights or privileges of the Judge of " the said Court." Probably it is a printer's error that those words were omitted.

4807. (*Lord Farrer.*) It is a printer's omission?—It is; I have omitted some words here.*

4808. (*Chairman.*) The connexion between the Corporation and the City of London Court now can scarcely be called vital?—Except as regards property; it is a valuable source of revenue.

4809. (*Lord Farrer.*) Fees?—Yes.

4810. There was a surplus of fees, was there not?—Oh, yes; they go under the Statute for certain purposes connected with the Court first of all.

4811. But they belong to the City cash?—But they belong to the City, and of course the surplus is there applied. The right to hold a court was a valuable privilege.

4812. (*Chairman.*) We proceed to the Court of the Borough of Southwark. Is that a living Court?—I think it is practically obsolete. " This Court has " cognizance of all personal actions at common law " without any limitation of value or amount arising " within the Lord Mayor's jurisdiction in Southwark." That, as I have not had an opportunity of explaining, is not the whole of Southwark as it is now known. It was in an earlier part of my paper. I may, perhaps, here explain that " the Southwark in which the City of London " have or had any rights, consists of the three manors, " the Guildable Manor (the ancient town); the " King's Manor, formerly belonging to the Archbishop " of Canterbury; and the great Liberty Manor " formerly belonging to Bermondsea Abbey. At the " time of the Reform Acts there were added the " Liberty of the Clink and the parishes of Christ- " church, Bermondsea, and Rotherhithe." There is a map in the Report of 1837 which show those boundaries. So that the jurisdiction, such as it is, in Southwark is confined to the ancient Southwark and not to what we now speak of as Southwark. " The process of the Court is excluded from the " Liberty of the Clink, but the jurisdiction extends " over the Southwark Manor. The Steward of " Southwark is the sole Judge of the Court, " with power to appoint a deputy in his necessary " absence. The proceedings of this Court are " not subject to review by any of the ordinary " City Courts, but they may be removed to the " Supreme Court by *certiorari* or *habeas* in cases " where the debt or damages to be recovered exceed " 20*l*. The jury panel is made out by the High " Bailiff from the more substantial inhabitants of " Southwark. The Commissioners of 1837 reported " that very little business had for many years been " done in this Court, and that it ought to be abolished. " (See 2nd Rep. M.C., 1837, p. 132.) It has practi- " cally fallen into disuse."

4813. The Parliamentary Borough of Southwark is of considerable antiquity. Do you know whether that was co-extensive before 1832 with the Southwark under the jurisdiction of the City?—I know that these portions were added, but I am not sure whether it was co-extensive with the rest.

4814. You proceed to make some statement as to the judicial powers of the City Chamberlain?—" The " City Chamberlain has power to hear and deter- " mine all cases or complaints between masters and " their apprentices, and in that capacity he may com- " mit either master or apprentice to Bridewell."

4815. Bridewell does no longer exist, does it?—Yes, for this purpose it does, sir.

4816. Or is it transferred?—The old Bridewell has ceased?—The present one where they send apprentices I believe to this day is still there in Bridge Street.

4817. In Bridge Street?—Yes.

4818. (*Mr. Crawford.*) It is in close proximity to the Temple.

4819. (*Chairman.*) I have been there, but I was under the impression that it was a very large and fine building, and empty; in former years an occasional apprentice was put there?—My informant was the warder at the gate. I asked if he still received apprentices, as I could scarcely believe it without, and he said that he did.

4820. (*Mr. Smith.*) Did he tell you when he received the last?—No; he said he received them still.

4821. (*Mr. Crawford.*) Oh, you may take it that they are still committed.

4822. (*Mr. Smith.*) Are they; you have not had a master committed for some time I should think. It is a jurisdiction peculiar to London. As far as I know nothing of the kind exists anywhere else.

4823. (*Chairman.*) But these cases never go before the magistrates at Guildhall or Mansion House?—I think not; it is a special jurisdiction in the Chamberlain. It is believed that there is an appeal to the Court of the Mayor and Aldermen, but in practice no appeal takes place.

4824. Is this an open court that is held?

4825. (*Mr. Crawford.*) Oh, it is an open court?—There were formerly regular court days.

4826. (*Chairman.*) But now?—The practice is to take the cases when they arise. The great majority of cases are treated simply by admonishing or giving judicious advice to the apprentice, threatening him with imprisonment.

4827. (*Lord Farrer.*) A paternal jurisdiction?—Yes, I think so.

4828. (*Chairman.*) I gather from an expression before me that there is a concurrent jurisdiction at the police court; the Chamberlain's authority is not exclusive.

4829. (*Mr. Crawford.*) You will find that is so; there is a saving clause preserving this?—If an apprentice commits any offence that is an offence by Statute or at the common law no doubt he would be amenable to the ordinary courts, and therefore to the police court, but I should think the jurisdiction of the Chamberlain is wider than that and may be exercised

* *See also* Kemp, 5898–9.

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when there would be no offence that the police court could take notice of.*

4830. (*Chairman.*) Any breach of indentures?—As a rule it is misbehaviour. Questions upon indentures come in the Lord Mayor's Court. I think that the cases before the Chamberlain are cases of conduct.

4831. (*Mr. Crawford.*) Conduct which may amount to a breach of some of the covenants in the indentures?—Yes.

4832–5. (*Mr. Smith.*) He can only punish by committal to prison, I suppose?—That is the only punishment, yes. He cannot interfere with his indenture.

4836. (*Chairman.*) An unruly apprentice may be committed to Bridewell for a period not exceeding three months?—Yes.

4837. Usually 7 or 14 days?—Yes, I wish to correct what I said a moment ago about the authority of the Chamberlain as regards indentures. He may "if he pleases discharge the apprentice from his "indentures, or may, even against the master's will, "turn him over to a new master"; but if it is sought to recover any part of the premium, that must be in the Lord Mayor's Court.

4838. There is still an institution of a quasi-judicial character, the Chamber of Arbitration, of very recent origin?—That has been very recently founded.

4839. In what way is that connected with the City?—The management is in the hands of a committee of 12, who are appointed by the Corporation and the London Chamber of Commerce. The arbitrations are held at the Guildhall, and a book of rules of procedure has recently been published.

4840. Now, Mr. Kemp, will you tell us briefly what you know of the organisation of the police within the City?—The City Police force was created soon after the introduction of the new system of police in the Metropolis, well, 10 years after the introduction. The new system in the Metropolis was introduced in 1829, and the City Police force was created by an Act of 1839. With a few exceptions it is organised upon a plan nearly uniform with that established for the rest of the metropolis.

4841. Do you know anything of the organisation of the police within the City before that?—They were under the City Marshal, who was the head of the police. There was a day and a night watch.

4842–3. We hope to get that further information when the City reappears before us; we will deal only with what exists now. In 1839 the present force was established?—Was established. "By section 3 "of the Act a Commissioner was directed to be "appointed by the Court of Common Council, subject to the approval of the Queen, as the head of "the City Police force. He is removable by the "Queen or the Court of Aldermen, for misconduct or "other reasonable cause.† If the Commissioner is "not a justice of the City, it is enacted by section 6 "that it shall be lawful for the Queen on petition of "the Court of the Mayor and Aldermen and the "Court of Common Council to appoint him to be a "Justice of the Peace for the City and liberties," but his authority is limited.

4844. It means two petitions?—These are the words of the Statute, but whether that means two petitions, or one in which they concur, I am unable to say.

4845. I suppose it is correctly quoted from the Statute?

4846. (*Mr. Crawford.*) Well, the Statute is: "And "be it further enacted that in case the said Commissioner shall not be a justice of the said City, it shall "be lawful for Her Majesty, if she shall be so "pleased, on petition of the Court of Mayor and "Aldermen, and the said Mayor, Aldermen, and "Commons in Common Council assembled, to appoint "the said Commissioner to be a justice of the peace "in and for the said City and liberties, but no such "appointment shall authorise the said Commissioner "to act as a justice of the peace at any Court of "General or Quarter Sessions, or in any manner out "of sessions, except for the preservation of the peace, "the prevention of crimes, the detection and commital of offenders, and in carrying into execution "the purposes of this Act; and in case the Commissioner shall be appointed a justice of the peace as "aforesaid, he shall take all the oaths usually taken by "a justice of the peace: Provided always, that whenever any such Commissioner shall resign or be "removed from his office of Commissioner of Police, "he shall cease to be a justice of the said City and "liberties as aforesaid." So it looks like a joint petition—a petition of the Court of Aldermen and the Court of Common Council.

4847. (*Chairman.*) One petition, but both bodies must agree; a petition from the Court of Common Council is not sufficient?—No, it is both Courts.

4848. (*Mr. Crawford.*) So it appears.

4849. (*Chairman.*) When he resigns, or is removed from his office, he ceases to be a justice of the peace?—He cannot be a Member of Parliament, or carry on any business or profession. He is exempt from serving on juries and inquests. The Commissioner and members of the police force are prohibited from voting for the election of Members of Parliament for the City of London or the adjoining counties, or within the Metropolitan Police District.

4850. That is a disability which still exists?

4851. (*Mr. Crawford.*) That was removed, surely, in 1889, was it not, Mr. Kemp?*

4852. (*Chairman.*) It was removed with respect to policemen elsewhere.

4853. (*Mr. Crawford.*) Yes, it was removed in 1889 by the 50 Victoria, chapter 89.

4854. (*Mr. Smith.*) It has been removed, as far as municipal voting is concerned, by an Act passed in the last Session of Parliament.

4855. (*Chairman.*) And county voting too; it must have been removed with respect to the City also.

4856. (*Mr. Crawford.*) Yes, you may take it that it was so?—The Common Council is to fix the number of the force, and they are be appointed by the Commissioner. The men so appointed are sworn in as constables for preserving the peace. "The force "consists, at present, of a Commissioner, an Assistant "Commissioner, 2 superintendents, 4 chief inspectors, "8 first-class inspectors, 22 station-inspectors, 12 "detective-inspectors, 67 sergeants, 7 detective-"sergeants, 21 detective-constables, and 782 constables "exclusive of those constables on private service "duty. The Commissioner, with the consent of the "Court of the Mayor and Aldermen, has power to "make regulations for the route to be observed by "carts, carriages, and persons, and for preventing "obstruction in the streets within the City at all "times of public processions, public rejoicings, or "illuminations."

4857. (*Lord Farrer.*) Has he the power of making rules to prevent obstruction generally, or is he confined to those particular occasions mentioned in the Statute?—He has certain powers under the Act of 1867.

4858. (*Mr. Crawford.*) That is the Act for regulating the traffic of the Metropolis?—Yes.

4859. 30th and 31st Victoria, chapter 104?—Yes, I am looking for it.

4860. (*Lord Farrer.*) Is that an Act relating to the City traffic?—It applies to both the forces; to the Metropolitan Police and the City Police.

4861. (*Mr. Smith.*) They are very similar words to those contained in most borough Statutes; sometimes a little wider; ours are a little wider.

4862. (*Lord Farrer.*) Does the Act give power to direct the course of traffic, for instance, to divert the omnibuses, as they have been diverted near the Mansion House?

4863. (*Mr. Crawford.*) That is, omnibuses which are brought within what are called special limits, special limits being set out by the Commissioners after

* *See also* Kemp, 5900.
† *See also* Kemp, 4630–3.

* *See also* Kemp, 5900.

notice published. Then, as regards those special limits, the omnibus drivers must obey the regulations of the police.

4864. (*Lord Farrer.*) Under a penalty?

4865. (*Mr. Crawford.*) Under a penalty.

4866. (*Chairman.*) The Statute?—By section 23 it was provided that the warrants of the City Justices may be executed.

4867. You are not going to tell us anything more about this regulation of traffic. I thought you were referring to the Statute about that?—They have the powers of the Act of 1867 for regulating traffic in the Metropolis, as amended by another Act of that year.

4868. (*Mr. Crawford.*) And also amended by 1867?—1867, I think.

4869. In the 1867 Act there was a slight amendment?—Under that Act they could prohibit a scavenger scavenging except within certain hours, and they have authority to prevent the deposit of goods in the street so as to cause obstruction or inconvenience to the passage of the public, and they can prevent the driving of cattle through the streets between certain hours—between 10 in the morning and 7 in the evening, except with the permission of the Commissioner of Police. They also make regulations as to the Metropolitan stage carriages; that is, the omnibuses, about stopping; that they are not to stop except for the purpose of taking up or setting down passengers, and they can interfere with advertisements carried or deposited in any street within the limits by any person riding in a vehicle, or on horseback, or being on foot. There is power in the Commissioner of Police to make special limits within the general limits of the Act, that is, to direct that any street, or portion of a street, within the general limits shall be within the special limits; and there are further powers given with regard to streets so affected. Within the special limits the Commissioner of Police in the City, subject to the approval of the Secretary of State, may make regulations.

4870. And with the consent of the Mayor and Aldermen?—And, with the consent of the Court of Aldermen, may make regulations to be observed by all persons with respect to the route to be taken by carts, carriages, or vehicles, with power to prohibit any cart, carriage, or other vehicle from coming into any street or part of a street within the City limits for the purpose only of passing to its destination in some other street or part of a street, and, secondly, with respect to the line to be kept by persons riding or driving, and they vary these rules.

4871. Then you find section 14 deals with Metropolitan stage carriages?—Yes, within the special limits of this Act no driver or conductor of a Metropolitan stage carriage shall take up or set down passengers at any place where he may for the time being be prohibited by regulation of the Commissioner of Police from taking them up or setting them down, and any driver or conductor contravening this section of the Act is liable to a penalty. Then he has power to order, within certain hours, and with regard still to the special limits, between the hours of 10 o'clock in the morning and 6 in the evening—no, this is a general enactment with regard to the special limits—between these hours no coal is to be loaded or unloaded on or across any pathway within the special limits and between the said hours; and within the said limits no casks, whether empty or full, shall be lowered or drawn up by means of ropes; and then there are powers that except with the permission of the Commissioner no person shall, within the special limits, and within the hours of 10 in the morning and 7 at night, drive or conduct any cart with timber of a certain length and size (35 feet long), or metal, or any other article which exceeds 35 feet, or carry in any way along the street any ladder, or scaffold, or pole, or other article which exceeds 35 feet, or is of a certain breadth, or drive or conduct along any street any cart or waggon used for conveying goods or merchandise, and drawn by more than four horses.

4872. Well, I think you will find he has certain powers in regard to dogs and shoeblacks. I do not think there is anything more in the Act that one need trouble about?—Yes.

4873. (*Chairman.*) You have not mentioned in any of those provisions any regulation in regard to movement of persons?—No, I do not think I have.

4874. (*Mr. Crawford.*) You must go back to the City Police Act of 1839 for that.

4875. (*Mr. Smith.*) Are these powers, Mr. Crawford, similar to those other?

4876. (*Mr. Crawford.*) The Act Mr. Kemp has been quoting from extends to the Metropolis generally as well as to the City. I do not think you need trouble very much in regard to this matter.

4877. (*Mr. Smith.*) If it is common to the two bodies that we have to deal with it is not so very important.

4878. (*Mr. Crawford.*) Except that in our City Police Act of 1839 there are one or two matters which I think are special to the City, which I think they have not in the metropolis. But I think they are very small.

4879. (*Mr. Smith.*) For the purposes of amalgamation it is only necessary to see the difference, I think.

4880. (*Mr. Crawford.*) I do not think it is of sufficient importance at the present stage to go further into the Acts.

4881. (*Chairman.*) Well, now, we will proceed to the question of pay?—The Corporation have to pay out of their general revenues one-fourth part of the expenses of the police force, and the remaining three-fourths of those expenses are to be met by a rate which the Corporation are authorised to levy in the several Wards of the City upon every person who inhabits or occupies any house within the several Wards respectively, or within any precinct or place within the boundaries of such wards or adjoining thereto and not included within the limits of the Metropolitan Police District. "All precincts and "places within the City of London or liberties "thereof, and not included within the limits of the "Metropolitan Police District, are, for the purposes "of the Act, deemed to be parts of the City of "London, and of the wards which the same respectively adjoin."

4882. (*Lord Farrer.*) Does that apply to the Temple?—Yes, to any parts of the Temple that are within the limits of the city. Then there is a provision with regard to ward rate, which has nothing to do——

4883. (*Chairman.*) Which we need not enter upon. A larger proportion of this expense has to be raised by rates than is common with police expenses; I think three fourths apparently?—Three fourths have to be raised. I think it is five ninths that is paid not by rate in the rest of the Metropolis.

4884. I am not sure whether it is four ninths or five ninths. One pays four and the other pays five.

4885. (*Lord Farrer.*) The Government pays four and the other pays five?—Yes.

4886. (*Chairman.*) In the Acts of the Municipal Police throughout the country, the Government pay one half certain expenses, not the total expenses, but nearly the whole.

4887. (*Mr. Smith.*) It is practically half the general expenses.

4888. (*Lord Farrer.*) Did the Police Superannuation Act of 1889 increase the pensions, do you know, of the City Police?

4889. (*Mr. Crawford.*) It gave them certain privileges which they had not before; it really put them almost on a similar footing to the Metropolitan Police.

4890. (*Lord Farrer.*) And that would fall upon the rate, would it?

4891. (*Mr. Crawford.*) The pension, it always did, you know; it always came out of the police rate. It contains a special power of appeal which is not given to the Metropolitan Police.

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4892. (*Lord Farrer.*) But are the pensions included in the sum of which the City pay, out of their cash, one fourth?

4893. (*Mr. Crawford.*) Oh, certainly.

4894. (*Lord Farrer.*) It is the whole. It is treated as a whole?

4895. (*Mr. Crawford.*) It is treated as a whole, certainly?—This Act also deals with the ward rate, which has nothing specially to do with the police, except that it is collected in the same way.

4896. Well, the account has to be distinguished?—The account has to be distinguished. It is for the purpose of ward expenses.

4897. (*Lord Farrer.*) That is the expense of the wardmotes; because, I think, we had in evidence the other day that the wardmotes can spend no money; there is no money placed at their disposal out of this rate; is that not so?

4898. (*Mr. Crawford.*) No; I do not quite agree with that. I gave an instance where they did spend money. The words of the Act are "and for other "local purposes connected therewith."*

4899. (*Chairman.*) You have another section in your paper on the regulation of trade. I think the result of it is that it is all ancient history?—Most of it is. They appear to have very little, of course, except that they have the markets.

4900. We will consider those separately?—And they still have the right to metage on fruit and edible roots.

4901. (*Lord Farrer.*) But not a compulsory one?—I suppose it is not exercised compulsorily. But I do not know of any Act that takes away the right to do so compulsorily.

4902. Compulsion exists?—As far as I know, the right exists.

4903. (*Chairman.*) The right exists, but it is not exercised compulsorily?—The right exists, but it is not exercised compulsorily. In the case of grain it is merely a voluntary charge, because that has been taken away by the Act of 1872.

4904. (*Lord Farrer.*) And these rights, if compulsory, are exercised under old custom?—Yes. The Grain by Charter.

4905. On Coal and Grain by Charter?—Grain by Charter.

4906. (*Mr. Crawford.*) Charter of James?—I think some of them were earlier than that, were they not—in consideration of the Corporation forgiving a debt of 7,000*l.*

4907. That was in the time of Henry VIII.?—Yes; well, I think that included some of the metage dues.

4908. I think you may take it generally, Mr. Kemp, that all our rights have really been paid for?—Probably.

4909. (*Mr. Smith.*) I see both Commissions recommended their abolition.

4910. (*Lord Farrer.*) And the City do not seem to exercise them?

4911. (*Chairman.*) The next heading, Mr. Kemp, in your memorandum refers to the City markets?—Yes, the earliest Charter which refers to the City markets is the Charter of 1327—the first year of Edward III. It grants that no market shall be erected within seven *leucas* of the City.

4912. That is a negative Charter?—Yes.

4913. (*Mr. Smith.*) That was a common form, was it not, in those days?—That was the common law limit.

4914. It was an exclusive market?—Yes, but I understood you to refer, Mr. Chairman, when you said negative, that it was not a grant on the part of the City to erect markets.

4915. (*Chairman.*) As so recited it is not?—But the whole of the City of London, I take it, by custom, itself at that time would be open market—which is to say that every shop in the City would be open market for the kind of goods commonly sold there, and that every day, except Sunday, would be market day within the City.

4916. But the right over a market, so far as it is valuable, generally involves the right to levy tolls?—Yes.

4917. As well as the right of rating in the market?—Yes.

4918. There was nothing of that kind in the City that one knows of?—I remember no positive grant of that kind. This is the form in which it appears.

4919. That the grant so far assured whatever right the City had within the City, but prohibited any market being erected with seven *leucas*?—Yes.

4920. That is a league, is it not?—I thought a league in England was 3 miles.

4921. That may be, but a league is a word commonly used throughout Western Europe?—It is, I believe, the same word.

4922. Why do you attribute to this *leuca* 2,000 paces?—My authority for that was the evidence given before the Markets Commission of 1887–88.

4923. A league in France is about 2½ miles; 4 kilometres would make just a league, according to the best notion I have of a French league?—Yes, the common law distance is 7 miles.

4924. In that case a league is taken to be a mile?—Yes, but it is not exactly so.

4925. (*Mr. Smith.*) Nearly a mile, would it not be, 2,000 paces?—Yes; well it is very nearly a mile.

4926. (*Chairman.*) The Charter was interpreted—at least the opinion of the Judges was given upon it before a Private Bill Committee in the Lords?—Yes, and the principal points which they determined with regard to that were, first, that the Charter would have the effect——

4927. What is that procedure—getting the opinion of the Judges before a Private Bill Committee?—It was a Committee of the House of Lords. I had not considered it; I thought it was a general power of the House of Lords to take the opinion of the Judges upon any question that came before them. I do not know that they sit otherwise as a court of law, than simply as the House of Lords; so that sitting as a Committee I should assume that they had the same power; but I have no special information on the point.

4928. A Committee of the Lords could not command the attendance of the Judges. The Lords themselves might perhaps do so. Of course it was the custom to do so when the Lords were sitting as a Court of Appeal, but this was before a Private Bill Committee?—Yes, it was.

4929. (*Mr. Crawford.*) It was in connexion with the Easements and Cattle Market Bill of 1835; they were called in to advise?—Yes.

4930. But I think you get a more authoritative decision with regard to the Corporation market rights in the later case of "The Great Eastern Railway Company *v.* Goldsmid"?—Yes, "The Great Eastern Railway Company *v.* Goldsmid."

4931. (*Chairman.*) Of course the opinion of the Judges, however worthy of respect, would not necessarily command our adherence. The House of Lords has more than once given a decision absolutely in conflict with the opinion tendered by the Judges?—Yes; but in this case—I have not got the report with me, but my recollection is that the Chancellor shortly expressed his agreement with the opinion of the Judges, and added that of course it did not interfere with the authority of the Lords, because they were going to proceed by Statute, and whatever rights or powers the market might have would be subject to what the action of Parliament should be. But this is a statement of the principal findings of the Judges, as to what in law was the position of the markets in London.

4932. Well, let us take them one by one?—"(1) "That the Charter had the effect of a local Act of "Parliament, so that the Crown would have no right

* *See also* Monckton, 2778–92.

" to grant another market within the common law " distance of 7 miles of the City."

4933. But the Crown cannot derogate. I do not wish to contest the opinion of the Judges; but the Crown cannot derogate from its own right, from its own grant, can it?—That would be so. It would be taken to be deceived in its grant; but in this case the reason for saying the Crown cannot grant a market would be the opinion of the Judges that this is a grant, a Charter, which had the effect of a local Act of Parliament, and it is found in the Rolls of Parliament, I think, this Charter.

4934. For that purpose it would have been enough to have found that it was a Charter?—I think they found that it was something more; that it was a local Act of Parliament.

4935. I mean it is not necessary for that conclusion?—For that conclusion it would not have been necessary. It is as you say.

4936. The conclusion would have followed without carrying that Charter to the length of being an Act of Parliament?—That is so. The Crown could not have derogated from its own grant, and it would have been held to have been deceived. " (2) That the " grantee of a market may hold it anywhere he " pleases within certain limits, or in more places than " one, and may change the place in which it is held, " but that an obligation is cast upon him to provide " convenient accommodation for all who desire to buy " and sell in the public market, otherwise there will " arise a good defence to an action brought by the " grantee of the franchise against any person for " selling out of the market to the prejudice of his " right, provided that such person had been prevented " from selling in the market by want of convenient " room."

4937. That establishes the obligations of a grantee?—It establishes the obligations of a grantee and also his powers as to moving the market and holding it where he pleases, and extending its limits—which have been questions which have been very much open to doubt and difficulty in London, and not yet free from doubt, I should think. " (3.) That this breach " of duty on the part of the grantee might operate as " a forfeiture, and furnish a ground for a *scire facias* " to repeal the patent by which the market was " granted, even if it did not lay him open to an " indictment for a misdemeanour. (4.) That so long " as the grant remains unrepealed, any default in " providing proper accommodation for the public " could not of itself operate in point of law as a " ground for granting a new Charter to another to " hold a market within the common law distance, " which should be injurious to the existing market."

4938. That is you must obtain a repeal before proceeding further, by *scire facias* or some other process?—Yes. A default is limited to exposing the grantee to the procedure mentioned in the section before.

4939. He might amend?—Probably he might.

4940. And so avoid forfeiture?—Yes, and it would not be an offence.

4941. Yes?—" (5) That in the case of a grant of a " market being one of metes and bounds and the " grantee being incapable of enlarging its limits, this " circumstance coupled with the fact that it would be " for the advantage of the public that a new market " should be erected would be a sufficient ground for " the Crown to take such steps as, according to law, " would have the effect of erecting a new market to " such an extent as would remedy the inconvenience " without affecting the rights of the owners of the old " market, and for that purpose a writ of *ad quod* " *damnum* might issue."

4942. (*Lord Farrer.*) The Crown might take steps which would have the effect of erecting a new market, but it must not be more than would fill up a gap caused by the default of the original market?—Yes, assuming it is a market which is limited to one being a market of metes and bounds, which they had no power to extend, and if it was for advantage of the public that a new market should be erected that would be a sufficient ground for the Crown to take such steps as would lead to the erection of a new market, but only to the extent to which the necessities of the public were not satisfied by the existing limited market.

4943. (*Chairman.*) To give that in concrete form, if the grant to the City was that of a right to a market within the area of a square mile, and the City could not extend those limits, and that produced an inconvenience to the public outside that area, that would be a ground for enabling the Crown to grant a new Charter to a market outside the area, so far as was necessary to remedy the inconvenience of the public?—If the grant to the City was a grant to hold a market within one mile, that would not be a market within metes and bounds, that would be a grant of the large power of holding markets anywhere. It means, I think, a limited actually defined small space within which the market must be held. A space covered by the market, wholly covered by the market, or perhaps its approaches, which are sometimes included as being part of the market. The City had several, one or two or three in the City, markets the limits of which it could not extend and the extent to which these did not supply the needs of the public, the Crown might have interfered with the restriction upon other persons, and erected a market to supply the deficiency only, but a grant to the City to hold a market within the whole of the City is the largest grant that they can have, coupled with the restriction upon other persons of holding markets without the City, and within 7 miles.

4944. (*Mr. Smith.*) Excuse me one moment to get that clearly into my head. You distinguish then between the grantee of an ordinary market that may be held anywhere and the grantee of a special market of metes and bounds where it was to be held in some particular place?—Yes. " (6) That damage done to " the owner of a franchise of a market within the " common law distance may form a fit subject for " compensation."

4945. (*Chairman.*) Common law distance is seven miles?—Is seven miles.

4946. That is different from the distance of seven leagues?—It seems to be different; I should think it was. Yes; there is a difference between the two distances.

4947. It may be that the term in the Charter was adopted from the common law, but still it rests on a different ground?—Yes.

4948. One is an expressed limitation and the other is a limitation arising out of common law?—It may be, as I think was often the case in many countries then, that the distance of a mile or of a league was not perhaps accurately ascertained; they may have been intended to mean the same thing.

4949. (*Mr. Smith.*) A pace is 30 inches, is it not?—I think it is.

4950. (*Chairman.*) The original mile is a thousand paces.

4951. (*Mr. Smith.*) Oh, of course; one ought to know that.

4952. (*Chairman.*) That of course is much more than 30 inches.

4953. (*Mr. Smith.*) I do not know when our mile was fixed at 1,760 yards. I think this would be very nearly 1,760 yards.

4954. (*Chairman.*) Yes?—The Corporation claimed a general power to erect markets anywhere within the City.

4955. That has not been so exercised, has it?—The City is all one market; the City markets have not been shifted about from place to place?—Well, they have been very frequently removed. In older times there were markets in many parts of the City where they do not exist now, and whence they were not removed specially by Act of Parliament, although many later ones of course were moved by Act of Parliament.

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4956. Have they died out, or have they been shifted from the place where they were originally held to some other place?—Generally they have been moved to places where they now exist.

4957. By Acts of Parliament; but otherwise you said in old times there were markets where they are not now. Were those in old times in places where they are not now, and have they disappeared, or have they been altered?—Some of them have disappeared, but there seems to have been a great change after the great fire, when places were laid out specially for markets in the City by the second Act for the rebuilding of London, which is the 22nd of Charles II., chapter 11. It was enacted that: "'The Mayor, " 'Aldermen, and Commons of the City in Common " 'Council assembled shall and may and are hereby " 'empowered to employ such places and portions of " 'ground within the said City and Liberties thereof " 'as by and with His said Majesty's approbation now " 'are, or before the 10th day of March 1669 shall be, " 'set out and adjudged necessary and convenient for " 'public places there.' One of the principal markets " established under that Act was called Honey Lane " Market, and it was with reference to the estab- " lishment of that market, and the allegation that " notwithstanding this Act the Corporation had no " power to levy tolls, that Judge Jeffreys advised that " the City Charters should be forfeited, as they were " till 1689, after the Revolution." That forfeiture of the franchises, I may, perhaps, observe, was afterwards held not to be an extinction of the City Corporation as was generally supposed, but merely taking from it all its franchises. If there had not been the word "of" in the judgment it would have extinguished the Corporation.

4958. (*Mr. Smith.*) We should not have been here.

4959. (*Mr. Crawford.*) That was not the definite or the indefinite article.

4960. (*Mr. Smith.*) It is astonishing by how little you have hung once or twice?—Oh; they were reconstituted by Act of Parliament—their Charters were restored to them by Act of Parliament of William and Mary.

4961. (*Chairman.*) It was more than being restored, was it not?—And confirmed.

4962. A declaration that they had not been properly forfeited. It went that length?—Yes.

4963. Not restoration, but nullification of what had been done.

4964. (*Mr. Crawford.*) It was a setting aside of the judgment, was it not?—Yes. But during the time that the judgment was valid or existed, if it had ever had the effect of extinguishing the Corporation, those effects would have operated during that time, and the point that I was leading to was, what was decided in the case of an Alderman of the City, a certain Sir James Smith, who did not take the oaths when William came to the throne, and he was removed from his position as Alderman by the authorities in the City for failing to take the oaths which an Alderman was required to take, and then there came 2 William and Mary, the restoration of the franchises, and he applied to be reinstated, saying that he had been wrongly removed, because at the time when he was required to take the oaths the Corporation had been abolished and he was not an Alderman. So it was that the question came to be tried, and it was held that he was rightly removed because the Corporation was never destroyed, and he was an Alderman then.

4965. But the preamble of the Act to which you have last referred recites the fact that the judgment was illegal, does it not?—Oh, yes, but still during the time which it held, it would have had that effect if it had been a fact.

4966. (*Mr. Smith.*) Your objection is that the recital was perhaps to meet this particular case?—Oh, no; the case did not arise till after the Statute, you see.

4967. (*Chairman.*) That case after all does not really affect the point, does it?—It is a decision that the Corporation of London——

4968. Survived?—Yes.

4969. But the point I was suggesting was that there was not a restoration then of the privileges of the Corporation quite apart from the existence of the Corporation itself, which according to that decision existed all through; there was no real restoration of its privileges, but a declaration that they had never been properly taken away?—At any rate it confirms in most definite language. It says that "the Mayor, " Commonalty, and Citizens of the City of London shall " for ever hereafter remain, continue, and be, and " prescribed to be, a body politic, *in re, facto, et* " *nomine* by the name of 'the Mayor and Commonalty " 'and Citizens of London,' and by that name, and all " and every other name and names of incorporation, " by which they at any time before the said judgment " were incorporated, to sue, plead, and be impleaded, " without any seizure or forejudger of their franchises, " liberties, and privileges, upon pretence of any " forfeiture or misdemeanour heretofore or hereafter " to be done, committed, or suffered, and shall " have and enjoy all their rights, gifts, charters, " grants, liberties, privileges, franchises, customs, " usuages, constitutions, prescriptions, immunities, " markets, duties, tolls, lands, tenements, estates, and " hereditaments, whatsoever which they lawfully had " at the time of the recording or giving of the said " judgment."

4970. That is as far as the Legislature can go in wiping out what had historically happened.

4971. (*Mr. Crawford.*) You left out the rather important words "or at the time or times of the said " pretended forfeitures." You ended up at the word "judgment"?—Yes. I have not got that here. "In " 1692 the Court of Aldermen instructed the City " Surveyors, appointed under the Fire Acts, to make " a survey of the several markets of the City. This " appears to have been completed by the following " year, and the farmers of the markets petitioned the " Court to take steps with a view to perpetuating the " testimony of the surveyors as to the boundaries and " other rights of the markets. A bill was ordered " to be exhibited in Chancery for that purpose, but " it does not appear from the City records whether " this was carried out. It shows, however, that there " existed some doubt as to whether, although the " whole City was market overt, and all under the " control of the Corporation, it was possible legally " to move any existing market.

4972. (*Chairman.*) And the question was not raised as to whether the Court of Common Council by any act of its own could ratify of itself?—Could ratify?

4973. The setting out of bounds of the market?—Not that I am aware of—no.

4974. They thought they must go to Chancery for the purpose?—It appears that that was the course they took.

4975. (*Mr. Crawford.*) That may be in connexion with the injunction to restrain.

4976. (*Chairman.*) The jurisdiction under Chancery?—The perpetuation of testimony it was, merely.

4977. (*Mr. Crawford.*) That was the object of the City evidently?—Yes. The Corporation formerly farmed the markets, and they opposed all grants for the erection of new markets. The farmers were got rid of about 1771, and since then the markets have been in the hands of the Corporation themselves. But there are other markets in the Metropolis which have in some way come into being, especially the two principal markets of Spitalfields and Covent Garden. In the case of Spitalfields Market, it was said in the case of "The Great Eastern Railway *v.* Goldsmid," that it must be taken that the Corporation assented to the grant in this case, because there was no question about the nature of their rights under the Charter, that it could not have been done without their

consent; but that the effect of the Charter, even an enrolled Charter that had the force of a local Act of Parliament, was to confer a benefit, and not to prevent a person from allowing by consent, infringements of it that could not have been made against his will.

4978. (*Chairman.*) Was there any trace of the origin of the market at the time when it came into existence; Spitalfields?—I do not think there is.

4979. It could not have been antecedent in date to the date of the Charter?—No.

4980. (*Mr. Crawford.*) It is clear from the judgment that it could not have been?—No. In any case the Charter of Covent Garden Market was in Charles II.'s reign. I do not remember in the case of Spitalfields whether there is any information about the origin of it. Covent Garden was created by Charter in the reign of Charles II., and as far as I know, there is no record of any action taken by the City. I suppose it would be said that in that case also they assented to the grant.

4981. A Charter given to——?—I think to the ancestor of the present Duke of Bedford; but I am not quite sure about that.

4982. It was their property, but the then representative was not in favour of Charles II., who scarcely wished to cut off his head one day and grant him a Charter the day after.

4983. (*Mr. Crawford.*) Lord Selborne in his judgment on that case of the "Great Eastern Railway *v.* Goldsmid," said: "The Court of Appeal thought, and "in my opinion, quite rightly thought that if the "City, down to the 34th of Charles II., had unim-"paired, and still existing, the privilege which is "expressed in the terms which I have read from the "Charter of Edward III., there was amply sufficient "ground for presuming that the City had consented "to the erection of this particular market"—that is Spitalfields Market, by the Charter 34 Charles II., so probably the Spitalfields Market was a Charter market of 34 Charles II.?—That, I think, must be so.

4984. (*Mr. Smith.*) Spitalfields became prominent about that time, if I remember rightly, through the weavers.

4985. (*Mr. Crawford.*) Have you not found in the course of your research, Mr. Kemp, that the assent of the Corporation was constantly required to be shown under seal where an application had been made to found a new market; have you not discovered that the consent of the Corporation was asked for and required to be shown under the seal of the Corporation?—No, I have not. I do not know of any existing market in London, except these two, that have been created otherwise than by Act of Parliament. I do not suppose the consent under seal would be required in such a case as that. In that case, I think, the Charter under which Covent Garden Market was erected was of the 22nd year of Charles II., and the other was a later market the 34th of that reign.

4986. (*Chairman.*) It would be 10 years after the Restoration?—Yes.

4987. There was a market which existed until recently, Hungerford Market?—Hungerford Market, yes, I think that is Stratford Market.

4988. No; it is the site of the Charing Cross Hotel.

4989. (*Lord Farrer.*) Just where the station is now. One used to go through it.

4990. (*Mr. Crawford.*) The consent of the City was given to the erection of that market.

4991. (*Mr. Smith.*) What was Clare Market?—Clare Market is merely the name of a place. It does not mean a market.

4992. (*Mr. Crawford.*) I see that Pulling in dealing with the question you have just referred to says: "Indeed it has been usual to require the formal "consent of the Corporation under the City seal, "before any new market can be erected even by an "Act of Parliament; in a modern instance, a clause "of compensation was inserted in the Act, and the "rights of the City in other respects expressly "reserved."

4993. (*Lord Farrer.*) Do you know whether the consent of the Corporation has been given to the markets that are now held in the New Cut and at Tottenham Court Road?—Street markets.

4994. Street markets?

4995. (*Mr. Crawford.*) These would be retail markets. The Corporation never opposed them.

4996. (*Lord Farrer.*) They never have, have they?

4997. (*Mr. Crawford.*) As a matter of fact I do not think the Corporation has opposed any market that has been considered to be reasonably required.

4998. (*Lord Farrer.*) Those retail markets they have never opposed.

4999. (*Mr. Crawford.*) Oh, no, no; merely street markets.

5000. (*Chairman.*) There was the hay market?—The hay market at Smithfield?

5001. (*Lord Farrer.*) And one near Regent's Park?

5002. (*Mr. Crawford.*) Certainly, and there is one now, a very flourishing one, in the East End, as well as Smithfield.

5003. (*Lord Farrer.*) Is that what you call a retail market, the hay market?

5004. (*Mr. Crawford.*) The hay market is a wholesale market.

5005. (*Lord Farrer.*) Was the consent of the Corporation given to that?

5006. (*Mr. Crawford.*) I really cannot give you the date of the one in the East End; but Smithfield Market still continues.

5007. (*Chairman.*) You can tell us what the existing markets are?—"The existing markets which "are the property of the Corporation are—

"1. The London Central Markets, including—
"(*a.*) The London Central Meat, Poultry, "and Provision Market.
"(*b.*) The London Central General Market.
"2. Smithfield Hay Market.
"3. The Metropolitan Cattle Market."

That is the market at Islington.

"4. Leadenhall Market.
"5. The London Coal Market."

The Corporation is also the local authority under section 9 of the Contagious Diseases (Animals) Act, 1878 (41 & 42 Vict. c. 74.), as they were under the repealed Act of 1869, for the whole Metropolis as far as relates to foreign animals. Under the authority of the Act of 1869 (32 & 33 Vict. c. 70.) they erected the Deptford Foreign Cattle Market. The Corporation say that they do not regard this market as a City market, or consider that the property in it vests in them as in the case of other markets. (*See* First Report of the Royal Commission on Market Rights and Tolls, 1888, Vol II., p. 34.)

That was the evidence, Sir, given by the City officers, I think, before the Markets Commission.

5008. (*Mr. Crawford.*) I think you have summed it up rather too briefly?—Too briefly. I thought these were his very words; I only mean by it that he says "not in the same sense." Of course there can be no doubt under the Act that they have applied the tolls of the markets as the Act provides.

5009. And that after the payment of the debt?—And that after the payment of the debt upon the Cattle Market at Islington the tolls would continue to be the property of the Corporation, so that I myself am rather at a loss to understand quite how it is distinguishable from the other property of the City, except in its origin—distinguishable, I mean, from the other markets as property, except in its origin.

5010. I think it is clear that in this particular market the tolls and profits have to be applied in a particular way. That is so in connexion with the other markets?—Indeed it is; surely to some large extent it is; the tolls of all the other markets are appropriated by Statute to the purposes for which they were authorised to be raised.

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5011. Under all those Statutes the Corporation were authorised to erect markets, and were authorised to apply the tolls to their own use, but naturally in the erection of markets the tolls were given as security to the bondholders. But if the Corporation had been rich enough to erect the markets without borrowing money they would not have had to trouble anybody about it. My only reason for interrupting you at that stage was, I did not want this to be taken as a complete summing up of the evidence given by the City officers?—Oh, no, I do not say it is, I refer to it as a special thing which they said and which rather struck me. I think they said that they did not regard it on the same footing as the other markets which belonged to the City. As to the London Central Markets, "the site of Smithfield Market was cleared "under the provisions of the Metropolitan Market "Act of 1851, and the London Central Meat, Poultry, "and Provision Market was erected upon a portion "of that site. The building and regulation of the "London Central Markets have been carried out "under the provisions of the Acts of 1860, 1862, "1864, 1875, 1882, and 1886."

5012. (*Mr. Crawford.*) I do not want to interrupt the witness, but it does occur to me that we have already had an admission from Mr. Kemp that he has had the advantage of correcting his statement with the aid of the Blue Book. Might we take it very shortly that if he has read through the statement which appears here in regard to the Corporation markets, and he believes that statement to be correct, surely that is sufficient for our purpose without going through all this. I do not wish to stop Mr. Kemp, because he clearly has given a great deal of attention to this matter, but I think, practically, as it already appears in the Blue Book, and if Mr. Kemp has satisfied himself that the statements, as they appear in this Blue Book are accurate, it would save a great deal of time, if he confined himself to pointing out anything which is inaccurate.

5013. (*Chairman.*) We did not advance in the examination of this Blue Book so far did we.

5014. (*Mr. Crawford.*) No, except that the Blue Book has been put in, and Mr. Kemp has had the opportunity of carefully looking at it and comparing that with his own statement, and if he considers the information given in this Blue Book in regard to the markets is accurate, it is hardly necessary to repeat that here, the Blue Book being before us, but if there is anything in the Blue Book which Mr. Kemp considers inaccurate, then by all means let it be pointed out.

5015. (*Lord Farrer.*) Or anything that it is desirable to add.

5016. (*Mr. Crawford.*) Or anything that it is desirable to add or any omission; or if the case has been presented in too strong a light.

5017. (*Chairman.*) I think we had better go on?—"First there was established the Central Meat "Market, subsequently the Central Poultry and "Provision Market, thirdly, a vegetable and fruit "market, which was afterwards changed by Act of "Parliament into a fish market as an experiment, "and subsequently abandoned as a fish market as "entirely unsuccessful, and now used as a general "market, including fish, fruit, vegetables, and any "marketable commodities. At the London Central "Meat, Poultry, and Provision Market, the market "days are every day except Christmas, Good Fridays, "and Sundays. It is under the control of a clerk "and an inspector who look after the arrangements "of the markets, but the supervision of the meat is "carried out by the Commissioners of Sewers. "Great expense was incurred in providing railway "accommodation for the Central Markets, but this "accommodation is scarcely used at all. The great "bulk of the enormous quantity of meat that comes "every day into London is brought to the market by "horse and van and taken away in the same "manner."

5018. (*Lord Farrer.*) Does that appear in the City case?—No, that was the evidence before "the "Market Rights and Tolls Commission, 1888."

5019. (*Chairman.*) Evidence on the part of the City?—On the part of the City that was. I think they said that the railway accommodation which they had provided had turned out not to be used, and in spite of their anticipations the meat was brought by vans.

5020. Brought by horse and van from the ordinary termini of the station?—Of the stations.

5021. And not by the connecting railways?—Not by the connecting railways.

5022. What can be the motive of that do you know; is it the greater cheapness—I suppose there is greater cheapness in that mode of conveyance over going on by a link railway?—I do not know. I do not know why the railway accommodation has not turned out to be used.

5023. (*Mr. Crawford.*) Does not a great deal of this frozen meat come by water up the Thames and then gets to the market by cart?—That is true of the imported meat, and that is, I suppose, increasing constantly. That would not have a communication by railway at all. "The London Central Fish "Market for the sale wholesale and retail of rail-"borne fish was established under the Act of 1882 "above referred to, although the actual building was "constructed under the powers of the Central "Markets Act, 1875. It was not a success, and "under the Act of 1886 it was reconverted into a "general market for fruit, vegetables, and general "produce, and the fish market was removed to "another and much smaller part of the Central "Market buildings."

5024. (*Lord Farrer.*) Do you know for what reason it was not a success. The fish dealers preferred to go to the old Billingsgate Market. Is that so, Mr. Crawford?

5025. (*Mr. Crawford.*) I have no doubt about it. I think that Billingsgate got the name of being the place for the sale of fish wholesale, and the result was that this market, which really was started at the request of fish salesmen, did not prove the success which was anticipated, although it is only fair to say the Corporation did not anticipate its success but it acceded to the demands of the fish salesmen.

5026. (*Chairman.*) This of course refers to railway borne fish. What the proportion may be between the rail-borne fish and river-borne fish you do not know?—I do not know, but I know that a large part—a considerable part of the fish coming to Billingsgate—is rail-borne fish also, which if what had been anticipated had happened might have been expected to come here.

5027. (*Mr. Crawford.*) It comes in specially constructed vans—what they call tanks?—Yes, from Grimsby and other places, I think. Inspectors of fish are appointed by the Fishmongers' Company. They are called fish meters.

5028. (*Lord Farrer.*) Is that under an Act of Parliament?—No, it is not under an Act of Parliament, it is a power that they claim as belonging to their Company.

5029. (*Mr. Crawford.*) It is in the Charter?—It is in the Charter of theirs.

5030. Of the Fishmongers' Company?—That is probably so. I know at any rate that it is a right that they claim as a right of their Company; it is not under any Act of Parliament.

5031. (*Chairman.*) And is exercised in a very practical manner?—I should think so, yes.

5032. We see a record from week to week and month to month of quantity of fish condemned by their inspectors?—Yes, at these markets.

5033. (*Mr. Crawford.*) And prosecutions too?

5034. (*Lord Farrer.*) But that is not under the control of the Corporation but under the control of the Fishmongers' Company?—Under the control of the Fishmongers' Company.

5035. Is there any other instance in which Companies exercise such powers?—They also appoint the inspectors of fish at Billingsgate—the Fishmongers' Company do. No, I do not remember a Company exercising similar powers. The inspectors of the different markets are appointed by different bodies. As you will observe, the Commissioners of Sewers inspect the meat at the General Meat Market, not the Corporation themselves, but the Commissioners of Sewers. At the fish markets the Fishmongers' Company appoint the inspector. At the cattle markets the Privy Council* appoint the inspectors, but I do not know any other case in which the Companies exercise any similar powers.

5036. (*Chairman.*) The Fruiterers' Company do not exercise any similar power about fruit?—I do not think so; I think not.

5036*a*. (*Mr. Crawford.*) Except the annual presentation which is made to the Lord Mayor?—"Under the provisions of section 5 of the Newgate "Market Abolition Act, 1861, Newgate Market, the "old market for the sale of dead meat, was discon-"tinued from the date of the opening of the London "Central Meat and Poultry Market. Farringdon "Market was the old vegetable market which was "erected under the Act for the removal of Fleet "Market in 1824. The London Central Markets Act, "1875, provided for its removal to where the Central "Fish Market was afterwards placed." That Act was for building a part of the market which was not then intended to be used as a fish market, but as a vegetable market; therefore it provided for the abolition of the Farringdon Market. "When it was "determined to erect an inland fish market instead of "the fruit and vegetable market contemplated by the "Act of 1875, Farringdon Market was continued by "the Act of 1882, and when the fish market proved a "failure the provisions of the Act of 1875 relative to "Farringdon Market were re-enacted and made "applicable to it by the London Central Markets Act, "1886, section 8. It was discontinued upon the "opening of the part of the London Central General "Market for fruit, vegetables, and flowers in 1892."

5037. (*Lord Farrer.*) The moral of all this seems to be that it is extremely difficult to force markets; that they grow.

5038. (*Mr. Crawford.*) That they grow. But in connexion with this last market, I do not know whether you are aware that the Great Northern Railway Company are materially increasing their railway accommodation, anticipating a large influx of fruit?—I do not know.

5039. (*Lord Farrer.*) And doing it successfully.

5040. (*Mr. Crawford.*) Oh, it is not completed.

5041. (*Lord Farrer.*) They think that it will be a success?

5042. (*Mr. Crawford.*) They have taken a basement of the Corporation at an annual rental of 3,500*l.*, and they have laid out a very large sum of money in connexion with the railway accommodation.

5043. (*Lord Farrer.*) They expect to do the work.

5044. (*Mr. Crawford.*) They anticipate that the market will be a success?—The next market is Smithfield Hay Market. "Smithfield Hay Market is an old "market outside the site of old Smithfield Cattle "Market. It was not removed by the Act of 1851, "and is regulated by the general Act of 36 George III. "as to the sale of hay and straw." That is an Act which still regulates the sale of hay and straw in London, and for 30 miles round. It compels you to sell it in trusses of a certain weight and contains certain other provisions. "By section 8 of the "Metropolitan Meat and Poultry Market Act, 1860, "as modified by section 12 of the Metropolitan Meat "and Poultry Market (Western Approach) Act, 1862, "the site of this market is declared to be an open "public place for ever subject to the use of it as a "market for the sale of hay and straw in carts and "waggons."

5045. I see that is almost verbatim with the statement that appears in our Blue Book?—That and the statement that Farringdon was ultimately discontinued in 1892 are the only two points as far as I remember that I was indebted to your statement for, I had not come down so late as that to 1892.

5046. There is an Act you have not referred to, the Act of 1856, in regard to the weight of the hay or straw offered for sale in the case of complaint, 19 & 20 Vict. c. 114.?—Is not that provided for under the Act 36 George III.; it does provide for the weighing.

5047. This extends the power in the case of complaint. And under that you can take proceedings in the event of insufficiency of weight?—Yes.

5048. Or adulteration?—Yes. "The trade done "is exceedingly small, the great bulk of hay and "straw sold in London being sold at the railway "depôts."

5049. (*Lord Farrer.*) How does the sale at the railway depôts differ from the sale in the market?—You mean legally.

5050. Yes?—I do not know that it does differ, and in the case of the Great Eastern Railway when they established depôts for the sale of vegetables they had to come to an arrangement with the owners of Smithfield Market.

5051. (*Mr. Smith.*) It is going on all over the country this question of sales at railway stations; it is rather an awkward problem. Depôts we get a good many of at Birmingham.

5052. (*Lord Farrer.*) Then that is practically a market.

5053. (*Mr. Smith.*) I think so.

5054. (*Chairman.*) I suppose a good deal of the hay consumed in London is brought by river, is it not?—I do not know.

5055. (*Mr. Crawford.*) A large quantity of it.

5056. (*Mr. Smith.*) Lately a good deal has, I think?—The next market is the Metropolitan Cattle Market. "The Metropolitan Cattle Market at "Islington is a market for the sale of live stock of "all sorts. It was established under the Act of 1851, "which provided for the removal of the cattle "market from Smithfield. That Act was amended, "and in great measure repealed by the Metropolitan "Market Act, 1857, which is the Act under which "the market is conducted at present, although the "powers of building, leasing, and borrowing were "altered, and the name of the market was changed "by the Metropolitan Market Act, 1865, and the "Metropolitan Cattle Market Act, 1875. The in-"spector of this market is appointed by the Privy "Council: the Corporation also appoint a veterinary "inspector. It is said to be the largest cattle "market in the world."

5057. (*Lord Farrer.*) Do you know what the reason was for the Privy Council appointing the inspector rather than the Corporation?—Oh, they have, under Act of Parliament, got powers with regard to cattle disease which gives them this power: they inspect cattle for all purposes.

5058. That is the object?—That is the object.

5059. (*Chairman.*) It is not peculiar to this market, I think?—Oh, I do not think so.

5060. (*Lord Farrer.*) It is not for the purpose of protecting the consumer of meat so much as for preventing the spread of cattle disease.

5061. (*Mr. Crawford.*) That was the object?—That was the object.

5062. (*Chairman.*) This was a market, over the original construction of which there arose that expression of opinion by the judges?—No, it is not.

5063. Not legally; I know it was not at that time a City market, but is it not the building that the City took over?—I think it is not the same place; it was a Company.

5064. It was then, I think, opposed by the City, and for 15 or 16 years lay in a dormant state, and

* Now the Board of Agriculture.

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then was taken over by the City?—It does not appear from the Acts, and I am afraid my knowledge is limited rather to them.

5065. It was Islington Market?—It was Islington Market, and for cattle.

5066. For cattle, which was the foundation of the Islington Market case?—Yes. Leadenhall Market is a very ancient market formerly held by prescription and used for the sale of meat, poultry, game, skins, hides, and other articles, but it was extended and regulated by an Act of Parliament in 1871 which empowered the Corporation to extend the site of the market and to make byelaws for the regulation and government of it, and by such byelaws to prohibit the sale therein of skins or hides or of any other articles which they might think fit, such byelaws to be allowed by the Board of Trade. This market was abolished in 1879 by the Leadenhall Market Act, 1879. This Act empowered the Corporation to improve the lands occupied by Leadenhall Market, to discontinue the market, and construct a new one for the sale of meat, fish, and poultry, a short distance from the old site. The new market was not to be less than 25,000 square feet in extent, and the Corporation have the power to enlarge the limits of it from time to time and to charge stallages, rents and tolls for the use of shops, standings, and other conveniences in the market and to borrow on the credit of the stallages, rents and tolls, and other payments to be received from the market and of their estates and revenues any sum not exceeding 99,000*l.* for the purposes not only of erecting the market, but of carrying out somewhat extensive street improvements in the vicinity. The next market is Billingsgate Market. It is one of the oldest markets in London. The first Act of Parliament dealing with it is an Act for making Billingsgate a free market for the sale of fish (10th and 11th Wm. III. cap. xxiv.)

What is meant by a free market?—It does not mean a market which is exempt from tolls, but a market where all persons may buy and sell.

5067. (*Mr. Crawford.*) The words are "free and "open market for all sorts of fish whatsoever." Those are the words of the Statute?—Yes.

5068. (*Chairman.*) That there should be no privilege in the way of access, is that what is meant?—Yes, that the rights of buying and selling in it are not limited to any special class.

5069. There are tolls taken, I suppose?—There are tolls taken and rents charged.

5070. Although the same stall is let to two persons?—That provision about the letting, that after a man has done his business for the day the clerk of the market shall have the power of letting his stall to someone else, is said to be a provision in connexion with the obligation that the Corporation feel to provide market room for all persons who apply. Then there are a large number of Acts affecting Billingsgate Market more or less which were all repealed, so far as they relate to or affect the supply of fish to and the regulation of Billingsgate Market, by 9 and 10 Vict. cap. cccxlvi. This Act settles the tolls and is generally for the conduct of the market.

5071. (*Lord Farrer.*) I think the Court of the Fishmongers' Company are recognised by an Act of Parliament as authorities in the market. They have power to make byelaws by the Statute of Anne, chapter 26?—I have not observed that.

5072. That is in the Corporation's statement?—Yes.

5073. (*Chairman.*) You refer to that Statute?—I do.

5074. (*Mr. Smith.*) You said that the supervision and inspection is carried out by the Fishmongers' Company, and give the effect of it?—I think I stated a short time ago that I was not aware of any Act of Parliament which gives them any authority, but I thought it was only a power claimed by the Company under their Charter.

5075. (*Mr. Crawford.*) I think you will find that the Statute has been since repealed; there has been a clause put in; certainly there is a clause in the Act of 1871 which recognises the right of the Fishmongers' Company.

5076. (*Chairman.*) If it was once mentioned it is sure to be repeated.

5077. (*Lord Farrer.*) Yes, sure to be reserved?—It probably is so. I ought to correct what I said; I did not remember that there was any allusion to it in the Acts, I thought it was a power that they had under their Charters. The lettings in the market are weekly and are upon the terms that, as soon as in the judgment of the clerk and collector of the market the business carried on by the tenant is finished for the day, it shall be lawful for the clerk and collector to place any other person in the stall to use the same for the rest of the day for the sale of fish. The reason of this provision is that Billingsgate is a free market, and the Corporation consider themselves bound to provide accommodation for any person who wishes to sell fish, the accommodation, however, is very inadequate and the approaches most inconvenient.

5078. (*Mr. Crawford.*) Was that last remark of yours made in view, or rather with the knowledge, of the large sum of money recently expended in connexion with Arthur Street improvement, that was expressly made for the purpose of giving a better approach to Billingsgate Market?—May I ask how recently?

5079. Within the last three years. I think three or four years?—Very well, this was not made with reference to that; that was founded upon the evidence in 1888.

5080. (*Chairman.*) In 1888 apparently, according to the book, a petition was sent in mainly from tenants of Billingsgate Market. The Corporation thereupon acquired land and put up a block of buildings.

5081. (*Mr. Crawford.*) That is the erection of Billingsgate Buildings. But the improvement I am referring to is an improvement carried out by the Commissioners of Sewers, which has given a very capital approach to the market, although of course in the immediate neighbourhood of the market, as we know, Lower Thames Street is rather narrow?—Yes.

5082. Probably you were not aware of that alteration?—No.*

5083. (*Lord Farrer.*) But the Corporation have been willing and anxious to have other fish markets in other parts of London, have they not; they have given their full assent; they have endeavoured to establish one themselves, and they have given their assent to others; is not that so?

5084. (*Mr. Crawford.*) That was clearly stated in the evidence before that Commission?—They opposed in the case of Shadwell.

5085. It is very likely they may have opposed Shadwell for special reasons?—Well, but that, as far as I know, is the only other fish market; well, there was the South London Fish Market, about that I do not know whether they opposed or not.

5086. There have been a good many Bills promoted, but they have not got very far on. As a rule, the promoters come to the Corporation for the purpose of getting their assent; if they get their assent they go a little step further; and I believe sometimes the Bills are used for purposes which can best be understood.

5087. (*Chairman.*) Hungerford, to which allusion was made just now, was a fish and poultry market?—Yes.

5088. (*Mr. Crawford.*) Yes, that was a fish and poultry market, certainly fish—that was a failure.

5089. (*Chairman.*) Then the Coal Market, Mr. Kemp?—The Coal Market is on a somewhat different footing from those markets that I have already referred to, and indeed I notice in the City's statement that they do not treat it on the same footing, but I find it is a free and open market, which by statute they are

* *See also* Kemp, 5901.

authorised and directed to hold, and it is vested in them, and I have found it convenient to give an account of it here.

5090. (*Mr. Crawford.*) It is more in the nature of an exchange, is it not, Mr. Kemp, for the coal trade? It is really an exchange?—Yes, well, I found certain provisions with regard to the rents and tolls of it.

5091. (*Chairman.*) It is the property of the Corporation?—It is vested in them; but the profits from it, as far as I have been able to gather, are still applicable to improvements in the metropolis.*

5092. (*Mr. Crawford.*) Which profits?—The rents and profits of the market.

5093. Of this market?—Of the Coal Market.

5094. Are you not referring to some Statute which has since been repealed?—Well, I shall come to it in its turn.

5095. (*Chairman.*) Before going to the rents and profits, does the place belong to the Corporation?—It is vested in the Corporation.

5096. (*Mr. Crawford.*) It is called the Coal Exchange, Mr. Kemp?—No, sir, it was formerly the Coal Exchange, and its name was changed by Statute to Coal Market.

5097. You have given me information I was not aware of. I only know it as the Coal Exchange.

5098. (*Mr. Smith.*) They were empowered to purchase the Coal Exchange.

5099. (*Mr. Crawford.*) The Exchange may have been used as a market, but I think it has always been called the Coal Exchange. I have never heard of the Coal Market?—By 1 and 2 William IV., chapter lxxvi., it was enacted "that the Coal "Exchange should remain vested in the Mayor, "Commonalty, and Citizens of London, and that "there should continue to be in the City of London "a Coal Exchange, a free, open, and public market "for the sale of coals brought into the Port of "London, which market should be called the Coal "Market."

5100. (*Mr. Crawford.*) I do not dispute that, but I mean to say the building itself is known, and always has been known, as the Coal Exchange, and is used at the present day as the Coal Exchange.

5101. (*Lord Farrer.*) What is the difference; is it not that the coal is not actually—physically—there, but being somewhere else it is bought and sold there?

5102. (*Mr. Crawford.*) Besides, there are no tolls taken at the present day. I am afraid you will have to go into the history of the Coal Duties Acts if you want to get to the bottom of this.

5103. (*Lord Farrer.*) There is no toll taken.

5104. (*Mr. Crawford.*) There are no tolls taken.

5105. (*Chairman.*) Are there no rents?

5106. (*Mr. Crawford.*) There are rents, certainly.

5107. (*Lord Farrer.*) The rents about pay the expenses.

5108-9. (*Mr. Crawford.*) I could not tell you without reference to the accounts. In the last two years I think there has been a deficit in consequence of the repairs to the markets, but I think there was about 500*l.* of profit three years ago. The first statute is 43 Geo. III., chap. cxxxiv., which provides that the Lord Mayor, Aldermen, and Commons of the City of London should be empowered and required to establish and hold a free market for the sale of all coals that should arrive in the port of London. They were empowered to purchase the Coal Exchange in Lower Thames Street in the City of London and other lands, and to lay out the site so obtained as a free market, and to erect the necessary buildings and conveniences. The power of purchasing was limited to 12 months (section 3). By section 17 the Corporation was empowered to demand and take one halfpenny per chaldron, or per ton if the coal should be sold by weight, upon all coal arriving in the port of London westward of Greenwich, and this halfpenny was to be collected and paid in the same manner as the existing coal duties. The money thus obtained was to be applied in defraying the expenses of establishing the Coal Market, which at that time was called the Coal Exchange, and in paying the salaries and allowances of the persons employed in the execution of the Act and other expenses. By section 18 it was provided that this duty was to be reduced when more than sufficient for the purposes of the Act had been collected. By section 25 it was provided that immediately after the laying out and establishing of the said market it should for ever thereafter be and become a free, open, and public market for the sale of coals brought into the port of London. By section 30 it was provided that from and after the opening and establishment of the market, all coals brought into the port of London were to be sold in the market, within the market hours, and not elsewhere. By section 65 the Corporation was required to lay yearly accounts of the duty of one halfpenny per chaldron or ton granted by the Act before both Houses of Parliament.

5110. (*Chairman.*) You might perhaps proceed to the repealing Act?—Yes; except, Sir, that the next Act imposes a further duty of a halfpenny for the same purposes. Then by 1 & 2 William IV., all these Acts were repealed. This Act, after declaring that the Coal Exchange should remain vested in the Mayor and Commonalty and Citizens of London, and that there should continue to be in the said Coal Exchange a free, open, and public market for the sale of coals brought into the port of London, which market should be called the Coal Market (s. 4), empowered the Corporation at any time to remove the said market to any other place which they might think more convenient, and also to enlarge the Coal Exchange or other place where the market should for the time being be held (s. 6). Section 7 empowered the Corporation to purchase lands for enlarging the present or any future market. Section 19 vested any new coal market in the Corporation subject to the same regulations as the present market. Section 20 provided that when any new market-place should be opened, no market should any longer be held in the place from whence the said market had been removed. By section 23 a duty of 1*d.* per ton on all coals, culm, and cinders was authorised to be levied for defraying the expenses of carrying the Act into execution, and for paying the compensation authorised by the Act to be made, and repaying the money authorised by the Act to be borrowed and the interest thereon, and for creating a fund for the purposes mentioned in the Act. Section 24 provided that when the expenses of executing the Act should have been paid, and provision made for defraying the compensation, and the salaries to officers, the duty was to cease, but might be raised again in whole or in part, when and so often as should be necessary for the purposes of the Act. Those purposes were principally compensation to the coal meters, I think it was, whose occupation was taken from them by the change from measuring to weighing coal.

5111. (*Mr. Holt.*) Do there not seem to be two things there, the Coal Exchange and the Coal Market. "There should continue to be in the Coal Exchange "a free and open market."

5112. (*Mr. Crawford.*) The market is held in the Coal Exchange. It is known as a Coal Market, but the market is held in the Coal Exchange.

5113. (*Mr. Holt.*) It is held inside, and you speak still of the Exchange?

5114. (*Mr. Crawford.*) Yes.

5115. (*Mr. Holt.*) It does not seem abolished by that.

5116. (*Mr. Crawford.*) Oh, the Coal Exchange still exists, and the market goes on there, only there is no toll now levied.

5117. (*Chairman.*) It looks rather as if the Act of Parliament had not been effectual to alter the usages of man and their modes of speech.

* *See also* Kemp, 5901–2.

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5118. (*Lord Farrer.*) Is the greater part of the coal sold in London sold at that market, do you know, or is it sold very largely at the railway stations or elsewhere?—Oh, there are large depôts at the railway stations.

5119. (*Mr. Crawford.*) You will find all the large sales really take place at the Coal Exchange.

5120. (*Lord Farrer.*) Do they really take place at the Coal Exchange?

5121. (*Mr. Crawford.*) You see the coal trade is divided into various sections, coal factors, coal merchants, and others, and it goes through various hands before it ultimately reaches the consumer.

5122. (*Lord Farrer.*) So all the great coal merchants meet there?

5123. (*Mr. Crawford.*) Yes. I think their regular day of meeting is Monday, but occasionally they meet more often.

5124. (*Lord Farrer.*) And whether it comes by water or rail it is equally sold at the Coal Exchange?

5125. (*Mr. Crawford.*) I believe all the large transactions in coal take place at the Coal Exchange.

5126. (*Mr. Holt.*) And the railway stations are distributing centres.

5127. (*Mr. Crawford.*) Exactly?—"This duty of "one penny was taken away from the Coal Market "by an Act of 1845." That is the Act dealing with the coal duties. It contained the general clause extending the duties to all rail-borne coal coming into London. It is 8 & 9 Vict. c. 101. "The penny "was directed to be invested in the names of the "Commissioners of Works along with the accumulated "funds and the future rents and profits of the Coal "Market for the creation of a fund for Metropolitan "improvements." I can only say I have not been able to trace that further than the gift of them by this Act to the Commissioners of Works to create a fund for Metropolitan improvements.*

5128. That was for a certain period, was it not, Mr. Kemp?—I do not think so with regard to the future rents and profits.

5129–30. Yes, but the coal dues were extended for a certain period, and during that period they were to be paid over to the Commissioners of Works?—It is not a coal duty; it was the rents and profits of the market and the accumulations.

5131. (*Chairman.*) You referred to the provisions of the Coal Market Act of 1845 which dealt with this penny duty, and directed it to be invested along with the accumulated funds and the future rents and profits of the Coal Market?—That is what I was referring to.

5132. Consequently the application of the future rents and profits of the Coal Market is undisturbed by what has happened to the penny?—It appears to me to be so.

5133. Has there ever been a change of site of this Coal Exchange or Coal Market?—Yes, at least it was enlarged.

5134. On the same site?—I think on the same site.

5135. I am puzzled by finding—whereas it is in Lower Thames Street, the last Act appears to provide "an enlarged site for rebuilding the Coal "Market in the City of London, and to make con-"venient streets in the vicinity thereof, and also to "make a clear way or street from the south end of "Whitefriars Street to Tudor Street," which is half a mile off.

5136. (*Mr. Crawford.*) That was to make a better approach to Upper Thames Street.

5137. (*Lord Farrer.*) That is a separate purpose, I think, in the same Act quite separate, "and also to make"——

5138. (*Mr. Crawford.*) At the south end of Whitefriars Street and Tudor Street might have been in connexion with the approach to Lower Thames Street leading to the market. I do not think so.

5139. (*Chairman.*) It is a long way off.

5140. (*Mr. Crawford.*) It is a long way off. I should think advantage was taken of that Act to get in another clause.

5141. (*Mr. Smith.*) And for other purposes.

5142. (*Mr. Crawford.*) And for other purposes.

5143. (*Mr. Smith.*) A common expression.

5144. (*Mr. Crawford.*) It is a very favourite way of getting over a difficulty?—Yes, the title of that Act of 9 of the Queen is an Act for providing an enlarged site for rebuilding the Coal Market in the City of London, and for widening the avenues in the vicinity thereof, and for effecting other improvements in the said City.

5145. (*Chairman.*) You might strike out "the said," it has no relation?—I will strike it out. By the Act of 31, section 25, the Corporation was empowered to raise a sum not exceeding 20,000*l.* upon the security of the penny duty, and to make byelaws to regulate the market. Compensation was directed to be paid to the land coal meters and other officers whose functions were rendered unnecessary by the Act.

5146. That is rather strange, is it not; 1831, you are going back again?—I was tracing the subsequent history of the duty, but the market is still under this Act of 1831. By section 43 it was provided "that "all coal, cinders, and culm, which should be sold "from and out of any ship or vessel in the port of "London, or at any place within the Cities of London "and Westminster, or within a distance of 25 miles "from the General Post Office, in the City of London, "should be sold by weight and not by measure," and there were other provisions regulating the sale of coal by weight which were directed to the prevention of fraud. By the City of London Coal Market and Improvement Act of 1846 it was enacted "that the Corporation should be authorised "and empowered to provide an enlarged site for "rebuilding the Coal Market in the City of London, "and to make convenient streets in the vicinity "thereof, and also to make a clear way or street "from the south end of Whitefriars Street under the "provisions of 1 and 2 William cap. lxxvi., s. 4." That you observe does make a new charge upon the fund which appeared to have already been transferred to the Commissioners of Works by an Act of the preceding session, but of course it is a charge upon the accumulated funds which had been transferred and would be met out of it. Probably it is not a charge upon the future rents and profits of the market which I do not find any dealing with. The next market is Deptford Cattle Market. This market was established in 1869, the Corporation having purchased the old Admiralty Dockyard, and turned it into a market. The market was enlarged in 1881 under the powers of a Provisional Order of the Local Government Board, confirmed by 44 & 45 Vict. c. lxi. The market days are Mondays and Thursdays, although the market is open every day. Foreign cattle are received into this market only to be slaughtered. None pass out of it alive. The inspection of the cattle is by persons appointed by the Privy Council.* The history of this market is worth giving. In 1848 an Act was passed empowering the Privy Council to prohibit by Order the removal of cattle from one place to another. This Act which was temporary, was renewed from time to time down to 1866. In that year the power of enforcing the orders of the Privy Council within the Metropolis was conferred upon the Metropolitan Board of Works, who were to appoint inspectors of diseased cattle. The Court of Aldermen were to appoint inspectors for the City districts, but all the expenses of the Act were to be paid out of the Metropolitan Consolidated Rate, to which the City contributed. In 1867 an Act was passed empowering the Privy Council to regulate the landing of foreign cattle. The passing of this Act is said to be due to the discovery made by one of the Board's inspectors, in 1867, that the principal cause of the cattle plague

* *See also* Kemp, 5182–7, 5901–2.

* Now the Board of Agriculture.

in the Metropolis was the importation of disease into the City by cattle brought from Holland. In 1867 the Metropolitan Board of Works were asked if they were prepared to undertake the task of establishing and maintaining a landing place and market for foreign cattle. On the 2nd of December the Board passed a resolution expressing their willingness to undertake this duty, and the terms of the Resolution were communicated to the Privy Council. On the 6th of December the following reply was received:—

"Downing Street,

"Sir, 5th December 1867.

"I have submitted to the Lord President of the Council the resolution of the Metropolitan Board of Works of the 2nd December instant, intimating their willingness to undertake the duty of erecting and maintaining a market for foreign cattle, and I am directed by his Grace to express the thanks of Her Majesty's Government for the readiness with which your Board have agreed to co-operate with Her Majesty's Government in the promotion of this object. Since the receipt of the letter from your Board his Grace has received from the Town Clerk of the City of London a copy of a resolution this day passed at a Court of Common Council, stating, with reference to the contemplated Bill for the erection of a separate market for foreign cattle, that 'the Court are 'prepared to appropriate funds for that object with-'out having recourse to the imposition of rates 'for the purpose other than what may be derived 'from the tolls of the market itself, from the wharf-'age, and from the rents of the other premises to 'be erected in conjunction with the market.' The Lord President feels that this public spirited offer on the part of the Court of Common Council is so manifestly calculated to lessen the difficulties connected with an undertaking involving so large an expenditure of money, that it would not be possible for Her Majesty's Government to reject a proposal tending as this does so largely to promote the interests of the public; and I am therefore instructed to inform you that in the Bill to be presented to Parliament an option will in the first instance be given to the Corporation of the City of London to undertake the works connected with the creation of the market in question.

"I am, &c.

"(Signed) E. Harrison.

"Sir John Thwaites.

"&c. &c."

"A Bill was introduced giving the Corporation power to erect and maintain a market, as proposed, but after passing a Select Committee it was withdrawn. In 1869 the Contagious Diseases (Animals) Act was passed, and section 28 made special provisions for the Metropolis, and provided that the Mayor, Aldermen, and Commons of the City of London should, for the purposes of the part of the Act relating to foreign animals, be exclusively the local authority in and for the Metropolis. The Lord President of the Council described the offer of the Corporation as a public-spirited offer, so manifestly calculated to lessen the difficulties connected with an undertaking involving a large expenditure of money, that it would not be possible for Her Majesty's Government to reject it, but the terms which the Corporation obtained under the Act of 1869 were very favourable to them.

5147. (*Chairman.*) That is the same language as his predecessor used?—It is my reference again to the letter I did not intend to say——

5148. (*Mr. Crawford.*) The same letter.

5149. (*Chairman.*) But in 1869 there was a different Lord President?—Oh, I did not intend to imply that it was the Lord President then, but referring back to the letter I said, this was the reason why.

5150. Perhaps it would be well to have it clearly brought out. A casual reader might suppose that was connected with the Act of 1869?—Yes. "The "offer of the Corporation was to appropriate funds "for the object in question without having recourse "to the imposition of rates for the purpose, other "than what might be derived from the tolls, &c., of "the Market. By section 28, sub-section 2, they are "empowered to borrow the necessary money on the "credit of the property on the credit whereof "they are authorised to borrow by the Metropolitan "Market Act, 1865, and the money so borrowed "may be secured in the way authorised by that "Act. That is to say, the money for the new "market is to be borrowed on the credit of the lands, "tolls, rents, and payments held by or accruing to "the Corporation in connexion with the Metropolitan "Cattle Market at Islington. By sub-section (4) of "section 28, it is provided that as soon as the new "market is opened, the maximum tolls to be charged "at the Metropolitan Cattle Market at Islington, "shall be those mentioned in the Fifth Schedule to "the Act of 1869, instead of those specified in "Schedule A. to the Metropolitan Market Act, 1857.

5151. Those had considerable increases?—Those had considerable increases. "A comparison of "these schedules shows that the effect of this pro-"vision was to enable the Corporation to increase the "tolls at Islington, in the case of sheep, from 4*d.* "per score to 1½*d.* per head, and in the case of beasts, "from 2*d.* to 6*d.* per head, in the case of calves from "1*d.* to 3*d.* per head, and in the case of pigs from "6*d.* per score to 1½*d.* per head. These tolls specified "in the Fifth Schedule to the Act of 1869, are also "the maximum tolls to be taken at the new market. "By subsection (3) of section 28, all money re-"ceived by the Corporation from charges made by "them under that part of the Act is to be applied by "them, first, in payment of the interest on and re-"payment of the principal of money borrowed for "the new market; secondly, in repayment of the "principal of money borrowed under the Metropolitan "Market Acts, 1857 and 1865; that is to say, in "paying off the debt on the market at Islington; "and thirdly, in discharge of the expenses incurred by "them in the execution of the part of the Act of 1869 "relating to foreign cattle. The effect of acceptance "of the offer of the Corporation is to enable the "Corporation to increase enormously the tolls "charged upon all sheep, cattle, and pigs, both home "and foreign brought into London, and to hand over "those tolls to the Corporation for the discharge of "the debt upon the only two cattle markets permitted "in the Metropolis. In 1869 considerable sums "were payable by way of compensation in respect of "foreign animals, and the City was liable to a rate to "be levied by the Commissioners of Sewers under "section 10 of the Act."

5152. Payable to whom?—When they were ordered to be slaughtered after inspection, compensation to the owners of cattle was payable.

5153. By the market authority?—By the authority; it was not the market authority.

5154. (*Mr. Smith.*) The sanitary authority?—Yes, the sanitary authority, the local authority who were appointed to execute the Act.

"In 1877 cattle disease broke out, and was traced "to the landing of a cargo of animals from Hamburgh "at the Foreign Cattle Market. This led to further "legislation, and in 1878 the Contagious Diseases "(Animals) Act of that year was passed, enacting "that all foreign cattle were to be slaughtered at the "port of landing, unless the Privy Council should "otherwise order. The City thus escaped a heavy "liability for compensation, and yet continued to "receive all the tolls of the market."

5155. (*Mr. Crawford.*) But these tolls would materially decrease, would they not, if the cattle were slaughtered before they reached the market?—I beg your pardon.

5156. Those tolls would materially decrease. You draw attention to the fact that the Contagious

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Diseases (Animals) Act of 1878 directed that all cattle must be slaughtered at the port of landing unless the Privy Council should otherwise order?—Yes.

5157. Do you mean by that "the port of landing" the market itself?—Yes, I mean the market.

5158. The market itself, because you know that recently most of the orders have prohibited the landing of live cattle at all at this market; they come in slaughtered, and therefore the City gets no tolls whatever except as dead meat?—I knew that there was a large increase in the importation of dead meat and a decrease in the bringing in of live cattle recently, but I did not know that that was anything but just a change in trade. I did not know that that was by prohibitory orders.

5159. It was by prohibitory orders?—Yes?

5160. But all this is the result of Parliamentary action, Mr. Kemp?—Yes.

5161. You surely do not wish to blame the Corporation for Parliamentary action?—Of course, it is a statement; it is only my way of looking at it. But I am pointing out this letter. The Metropolitan Board of Works made their offer to do this work, and the City offered to do it, and the offer of the City was accepted on the understanding that they were offering such good terms to the whole of London that it could not be rejected by Parliament, and, in my opinion, I think they got exceedingly good terms at the expense of the rest of London.

5162. That is your way of looking at it, but you will not object if I refuse to look at that matter through your spectacles?—Oh, no, I have only stated it.

The witness withdrew.

Mr. W. H. Dickinson.

Mr. W. H. DICKINSON recalled.

5163. (*Mr. Dickinson.*) May I ask a question before we leave?—We have been requested by some of the newspapers to supply them with copies of the documents that we have submitted to the Commission up to the present moment. Not knowing exactly what view the Commission themselves take of their proceedings, we have not acceded to this request; but if we could have the views of the Commission as to whether the documents which we have handed in to them could properly be shown to the public, and to the Press, I should be very much obliged to the Commission.

5164. (*Chairman.*) I am not sure that it would be convenient for us to lay down a universal rule. The Corporation have apparently conveyed their volume to the Press.

5165. (*Mr. Crawford.*) Yes. I do not think that our volume is of such a controversial nature as some of the volumes of the London County Council.

5166. (*Chairman.*) I do not know that we should have you up for breach of privilege for communicating it, but it is not, I think, desirable that we should intimate to any authority our own opinion on the subject.

5167. (*Mr. Dickinson.*) We may take our own course. You will have no objection to whatever course we take?

5168. (*Chairman.*) We shall not summon you for whatever course you take.

5169. (*Mr. Crawford.*) I think Mr. Dickinson had better consider how far he would be justified in circulating the analysis of Mr. Gomme. I mean there is such a thing as an injunction.

5170. (*Mr. Dickinson.*) Of course, we shall seriously consider anything in that relation in this matter.

5171. (*Mr. Crawford.*) It is a document which deals with the City's accounts from your point of view, and some parts of it might have a serious effect upon bondholders, for instance; and therefore I only suggest that the greatest possible care should be exercised before you put forward a document the accuracy of which is not altogether admitted.

5172. (*Mr. Dickinson.*) If I gathered that even one member of the Commission has any objection to our putting forward any of these documents, I should not do it.

5173. (*Mr. Crawford.*) I think each body should take its own course, and act upon its own responsibility.

5174. (*Chairman.*) Are newspapers consciously desirous of having these documents to print?

5175. (*Mr. Dickinson.*) No; but I think some of the papers would like to know what we are putting before the Commission (that is probably what it has arisen from) in the same way as the City.

5176. (*Mr. Crawford.*) I do not think it should be under the patronage of the Commissioners. You had better follow your own course.

5177. (*Mr. Dickinson.*) I only mentioned it to the Commissioners to see whether they had any objection to it.

5178–81. (*Mr. Smith.*) We were not in any way consulted about the statement of the City, which I saw was published.

Adjourned till to-morrow at 11 a.m.

THIRTEENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 8th December 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary.

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Mr. JOHN KEMP, Secretary to the Special Committee of the London County Council, recalled and further examined.

5182. (*Mr. Crawford.*) There was one point, Mr. Chairman, I wanted to clear up in Mr. Kemp's evidence yesterday. I had not the advantage of seeing his statement, which was handed in by Mr. Dickinson before we met yesterday, therefore I had to put questions in the best possible way I could. But

I have had an opportunity of looking at the Coal Duties Acts, and there is one point I should like to clear up. It arises on page 31, about two-thirds down where Mr. Kemp uses these words*: "This duty "of one penny was taken away from the coal market "by an Act of 1845, and was directed to be invested "in the names of the Commissioners of Works along "with the accumulated funds and the future rents "and profits of the coal market, for the creation of "a fund for metropolitan improvement. The penny "was transferred to the Thames Embankment and "Metropolitan Improvement Fund by the Coal and "Wine Duties Continuance Act, 1861, and this fund "was transferred to the Metropolitan Board of "Works by their Loans Act of 1869. This duty "was continued along with the other coal dues by "various Acts down to 1889, when it ceased with "the rest. The rents and profits of the coal market "would seem to be still applicable to metropolitan "improvements." Now, Mr. Kemp, if you will kindly refer to section three you will notice that you have mixed up the Continuance Duty of one penny with the accumulated fund of the former penny duty, and also the rents and profits. If you will kindly turn to the third section of the Act of 1845?—I am sorry. I had the Act with me yesterday. I thought we had passed it, and I have not brought it to-day.

5183. I will just read it to you. It commences:—"And in order to provide a fund for the opening "of poor and densely populated districts." Then it continues—the duty of 1*d.* per ton—"for the "execution of such improvements in the metropolis "as Parliament may hereafter direct or sanction"?—Yes.

5184. That is so far as the penny duty is concerned. Then it goes on to say, "And the public stocks or "funds in which the residue or overplus of the "produce of the said duty of one penny per ton on "coals, cinders, or culm has been from time to time in-"vested in the names of the Chamberlain, Town Clerk, "and Comptroller of the Chamber of the said City, "in pursuance of the said Act of the first and second "years of the reign of King William the Fourth, and "the dividends and interest thereof, and also the "rents and profits to be derived from the coal market, "shall from time to time be applied to the same "purposes as the said duty of one penny per ton on "coals, cinders, or culm is now applicable by virtue "of the said Act." That is the Act of William IV., not this Act of 8 & 9 Vict. chapter 101, so that I think you will admit the true construction is that the continuance of the penny duty is to be applied for metropolitan improvements, but it leaves untouched, so far as the amounts are concerned, the accumulated dividends and interest on past duty, and also the rents and profits; I think you have made a mistake?—I followed it carefully as you read it, and I am afraid you are right; I think I have made a mistake.

5185. I think you have made a mistake there?—I think I have.

5186. (*Chairman.*) The duty of a penny from that time forward is for Metropolitan improvements?—That is so.

5187. The rest is for the antecedent trusts?—Yes.

5188. We proceed, Mr. Kemp, to examine the property of the Corporation, and you draw a distinction as to the character of the possession of that property by the Corporation, and the character of its possession by other municipal corporations?—Yes, it has been held that the Municipal Corporation Act of 1835, created a trust of the property of the municipalities with which it dealt which did not exist with regard to the property of unreformed corporations before the Act. This would apply to the property of the City of London. There is the case of Parr *v.* the Attorney-General, in which Lord Campbell lays that proposition down rather specifically, I think. It is reported in 8 Clarke and Finelly—Parr *v.* the Attorney-General. It was a question as to the application of the borough fund in a reformed municipality, and Lord Campbell said in his judgment, "Before the "Municipal Corporations Regulation Act passed, "certainly the Corporation property was not subject "to any trust; the Corporations might do with it "whatever they chose; and, generally speaking, no "relief could be obtained, either at law or in equity, "for any misapplication of that property." The rest of the judgment deals with the Act of 1835, and its application to the corporations with which it deals.

5189. That was an *obiter dictum* about it, not necessarily a decision in the case?—No, it was not the *ratio decidendi* of the case.

5190. You start from the position, however, that the Corporation does not possess its property from any trust which can be enforced from the Court of Chancery?—That is what I think is the position.

5191. What are the estates, described roughly, of the City?—I have very little information about them; I believe they largely consist of freehold land in the City. This I take from the Report of 1837, where it was said that they lay principally in the neighbourhood of Broad Street, New Broad Street, Broad Street Fields, Fenchurch Street, Aldgate, and the Minories. It is said that much of the property at one time consisted of the site of the old walls, or the site of the old walls, and gates, and fortifications of the City, and that tracts of moor land, in the neighbourhood of the City, were from time to time built under by the special provisions of Acts of Parliament. Another part of the estate of the Corporation called the Conduit Mead Estate, situated in the parish of St. George's, Hanover Square, was acquired at a much later date, in connexion with the efforts of the City to supply water by conduits to London. As far as I know there is no published information as to the City's estates, as the accounts deal only with the revenue.

5192. That is the Stratford Place property, is it not—the Conduit Mead Estate, Stratford Place?—It is in Conduit Street, Bond Street, and South Molton Street.

5193. Opposite Stratford Place?—Stratford Place, I do not know.

5194. The Earl of Stratford holds it on a perpetual lease from the City, does he not?

5195. (*Mr. Crawford.*) Formerly, I believe he did.

5196. (*Chairman.*) What does that reference to an Act of Parliament mean; it does not give the date of the acquisition, I presume?—No, it refers to the end of the sentence before; it was an Act under which building upon Moor Fields was authorised.

5197. (*Lord Farrer.*) You have no information as to the mode in which the City deal with their estates; whether they are let out on long leases, or the renewal of leases, or in what way?—On the Conduit Mead Estate I think the prevailing custom is that they are all let on renewable leases; perpetually renewable, I think.

5198. Perpetually renewable?—Perpetually renewable.

5199. With rents?—With fines.

5200. And with rents?—With ground rents.

5201. Are those rents determined according to the value of the property for the time being; do the rents change on the expiration of the lease, do you know?—I do not know.

5202. I will tell you my object in asking; it was not in any way invidious to the Corporation, but merely to know how a Corporation which is possessed of very large landed estates, finds it desirable to deal with them?—Yes.

5203. (*Chairman.*) We shall get the information from the City, we may hope. Probably they deal with their property in many manners, some in one way and some in another?—Yes.

5204. (*Mr. Crawford.*) I think in the majority of instances you may take it that the property is put up to tender; though this is not the case with the

* *See* Kemp, 5127, sqq.

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Conduit Mead Estates, the leases of which, as Mr. Kemp has explained, are perpetually renewable.

5205. (*Lord Farrer.*) They get the highest rent they can get for them?

5206. (*Mr. Crawford.*) Yes.

5207. (*Chairman.*) The principal estates are the Bridge House Estates; what are those?—They are estates which have been vested in the City of London in trust principally for the maintenance and repair of London Bridge, and for other analogous purposes to which they have been applied by Acts of Parliament. Part of these estates came by grant from King John, who gave certain void places in London to build upon, the profits thereof to remain towards the charges of building and repairing London Bridge; and it is said by Stow that many charitable men gave lands, tenements, or sums of money towards the maintenance of London Bridge. At other times grants have been made from the Crown, and purchases have been made out of the surplus rents and profits of the Bridge House Estates, and property has also been given by will for the same objects.

5208. I think we had in evidence that some part of that property was probably obtained as the result of a collection by a preaching friar?—Yes. I think I have read that, and also that there was a chapel on the Bridge at one time to which gifts were made, that, I think, went to the maintenance and for the purposes of the Bridge.

5209. That was a circumstance attendant upon many bridges and ferries?—Yes.

5210. These you regard as strictly trust estates?—These the Corporation keep separate.

5211. They are regulated by Act of Parliament, but the Act of Parliament did not exhaust the purposes of the estate; there would still be a power of getting the trusts regulated or defined under supervision through the Court of Chancery?—No doubt there would.

5212. And how are these managed?—They are managed by officers who are elected in the Court of Common Hall—the Bridgemasters—and there are auditors of Bridgemasters' Accounts, who are also elected in the same Court.

5213. (*Mr. Crawford.*) Are you quite correct there, Mr. Kemp; surely the Bridge House Estates are not managed by the Bridgemasters; the bridges are supervised by the Bridgemasters, but the management of the estates is with the Bridge House Estates Committee of the Corporation?—Yes, well, I suppose I am incorrect about that.*

5214. (*Chairman.*) There have been several Acts of Parliament authorising loans to be raised and expenditure to be incurred in respect of these estates for other bridges, Blackfriars Bridge and Southwark Bridge?—Blackfriars Bridge and Southwark Bridge.

5215. And the Tower Bridge?—Yes, also for a free ferry, and the Tower Bridge was the last.

5216. And so far as Parliament is concerned, it sanctioned the application of those estates for ferry or bridge purposes over the Thames?—Yes, it sanctioned the special application of them for these bridges.

5217. Wholly within the jurisdiction of the City, on the Middlesex side, on the north side. I am not sure about the Tower Bridge; it is outside, I think?—It is outside, I think; just outside.

5218. The other bridges so far are within the City limits?—I think they are within the City.

5219. There appears to be a separate account kept with respect to the Blackfriars Bridge Estates?—I think that is the explanation of the estates referred to as the Blackfriars Bridge Estates; it is the only way I have been able to trace their existence. I see that by the Blackfriars Bridge Act of 1863 the Corporation were given compulsory powers for five years to take lands for the purpose of rebuilding Blackfriars Bridge. They were also empowered to sell surplus lands and to borrow on the security of the Bridge House Estates for the purposes of the Act. Their borrowing powers were enlarged by the Blackfriars and Southwark Bridges Act, 1867. By section 25 of the Act of 1863 the Chamberlain is directed to keep separate accounts of all moneys received under the Act. The net revenue arising from the price obtained for surplus lands, or balances of capital money borrowed under these Acts, now exceeds 800*l.* a year; and as the maintenance and lighting, &c., of Blackfriars and Southwark Bridges are separately charged upon the Bridge House Estates, there is nothing payable out of this revenue, which is carried forward from year to year and added to capital.

5220. Going back a moment, does the Corporation work a free ferry under the Act of 1884?—I am not sure.

5221. I think that has been put into operation?—They had an Act empowering them to purchase this undertaking, but as a matter of fact whether they now work it I do not know.

5222. (*Mr. Crawford.*) They do not at the present moment.

5223. (*Chairman.*) They superseded that by the Tower Bridge. Now we proceed to the Gresham Estates. What was the nature of the connexion of the Corporation with these?—Sir Thomas Gresham, by his will dated the 5th July 1575, devised one moiety of the Royal Exchange and all the various shops, cellars, vaults, messuages, tenements and other hereditaments, parcel of or adjoining to the said Exchange, after the death of his wife, to the Corporation of London for 50 years, and the other moiety of the same premises to the Mercers' Company for 50 years, upon the trusts declared in the will. The trusts were, as concerned the Corporation's half, that the Corporation should pay 50*l.* a year to each of four lecturers appointed by them who should read lectures in divinity, astronomy, music, and geometry, in his dwelling-house in Bishopsgate Street, and should pay 53*l.* 6*s.* 8*d.* yearly, to eight almsfolk, whom they should appoint to inhabit his eight almshouses which he gave to the Corporation, that is to say, 6*l.* 13*s.* 4*d.* to each, and to give 10*l.* a year to each of the prisons of Newgate, Ludgate, the King's Bench, the Marshalsea, and Wood Street Compter, for the relief of poor prisoners. And as to the Mercers' half, it was left to the company upon trust that they should pay 50*l.* a year to each of three lecturers on law, physic, and rhetoric respectively, and 100*l.* a year for four dinners for the Company in Mercers' Hall on their quarter days, and to give 10*l.* for the relief of poor persons and prisoners, to each of the hospitals of Christ, St. Bartholomew, Bethlem, the Hospital for the Poor in Southwark, and the prison of the Poultry Compter. The testator devised his mansion in Bishopsgate Street, after the death of his wife, to the Corporation of London and the Mercers' Company as tenants in common for 50 years upon trust, to permit the lecturers above referred to to occupy the same, and to read their lectures there, and directed that no lecturer should be married. And the testator further directed that if the said Corporation and Company should obtain sufficient licenses to hold the said premises in mortmain they should have and enjoy the said Royal Exchange and dwelling-house and all the other premises for ever in equal moieties upon the trusts aforesaid.

5224. The term of 50 years was adopted because he was unable to devise them in fee without this license of mortmain?—They would be unable to take.

5225. To accept?—To accept.

5226. Yes?—Sir Thomas Gresham died on the 20th November 1579. Questions arose between Sir Henry Nevill, who had married a niece of the testator, and Lady Gresham, and they were settled by an agreement which, together with the will, was confirmed by Act of Parliament in the year 1580. Lady Gresham died in 1596, and the Corporation and the Mercers' Company took possession of the Royal Exchange and the house in Bishopsgate Street, and appointed professors and fixed the times for the reading of lectures. Though a resolution was passed in the time of Elizabeth to petition the Queen for a license in mortmain, none

* *But see* Kemp, 5903.

appears to have been obtained till the 12th year of James I. (1614), when a license was granted by letters patent, bearing date the 3rd of May, to the Corporation of London and the Mercers' Company, to hold the property devised to them by the will of Sir Thomas Gresham upon the trusts of the will.

5227. Have you any information as to the extent to which these gifts exhausted the revenue of the property?—At that time, no, I have not.

5228. When added up, do the charities amount to much the same in each case or not?—No, it is not quite so.

5229. It is less charge in the Corporation than in the Mercers' Company?—It is less in the case of the Mercers' Company, I think; they have only three lecturers instead of four.

5230. They are exempt from the almsfolk?—They are exempt from the almsfolk.

5231. Then they have got 100*l.* for four dinners, which itself makes up that difference?—Yes, it almost exactly does; it comes to very nearly the same charge.

5232. Well then, the other gifts are different, they may be the same in total?—Yes, the 10*l.* gifts are the same in number.

5233. The charges are very nearly the same in each case?—Yes.

5234. You do not know what proportion these charges bear to the revenue?—No, I do not. I see I have here the accounts in the Parliamentary paper of the Gresham estate, ordered by the House of Commons to be printed in 1892, so it is a very recent paper.

5235. That is Mr. Roby's return, is it not?—Yes, it is.*

5236. And does that give the estates at the time of the foundation—the revenue?—It gives accounts of the income and expenditure relating to the Gresham estates, but it appears to be quite recent expenditure.

5237. Well, you can give us some history of this property during succeeding centuries?—During the Civil Wars Gresham College was used as a place of imprisonment. At the Restoration the College seems, for a time at least, to have revived. Among its Professors were Sir Christopher Wren, Barrow, Hooke, Sir William Petty, and other men of science. The Royal Society originated within its walls, and Charles II. signed its charter there in 1663.

5238. The Royal Society really began to exist before the Restoration. Perhaps it did not become Royal until after that period. Hooke and Wells and Wren were associates together under the Commonwealth.

5239. (*Lord Farrer.*) It became the Royal Society then.

5240. (*Chairman.*) It got its charter after that date. However, you can go on?—In the——

5241. Why do you say the lectures were suspended—were not lectures given?—Lectures were given, but, as far as any information goes that I have been able to obtain, they have never been very fully attended.

5242. (*Mr. Crawford.*) What, the lectures at Gresham College?—I think not.

5243. (*Chairman.*) You are speaking historically now, not at the present time?

5244. (*Mr. Crawford.*) I thought he brought it down to the present time.

5245. (*Chairman.*) You do not bring it down to to day, that statement?—No; I do not know at the present time.

5246. (*Mr. Crawford.*) I mean at the present moment they have to have recourse to the City of London School, because the Gresham College is not large enough for the audience?—Yes.

5247. (*Mr. Smith.*) Yes, but he is dealing with the period before the Fire of London now.

5248. (*Mr. Crawford.*) He said "never"; I thought he was dealing with the present day. In the olden days, with some of the old professors, there was very good reason why the attendance was very sparse?—In the Fire of London the Exchange, which formed the sole endowment of the College, was destroyed, though the College itself escaped. During the rebuilding of London the College was used by the citizens for their court and chamber, and for other public purposes, and during this time the lectures were suspended.

5249. (*Chairman.*) There were lectures therefore?—Yes, there were lectures.

5250. Yes?—I have said it was probably rather a place of resort for the learned than the seat of academical instruction. I really have not got much information on the point beyond what I have actually put down here. But I understood that to mean that it was resorted to by men of such distinction as those whom I have mentioned, and that that was really what was its principal credit at the time——

5251. Well, the lectures at that time and long after were delivered in Latin?—Yes.

5252. Down to our own time I must say that the attendance was not very great?—Possibly not, although I suppose more people understood Latin then than would understand such lectures now.

5253. Sir Thomas's idea was that Latin lectures would be understood by foreigners coming here as well as by Englishmen?—Yes.

5254. Yes?—After the Fire, however, before the new Exchange was built, the Corporation continued to pay the stipends of the professors, and it was not until 1699 that it occurred to them to convert part of the College itself into a source of income.

5255. (*Mr. Crawford.*) What do you mean by that?—Well, I mean that after various petitions they ultimately obtained leave to sell the site.

5256. That is only to make a source of income in connexion with the trust; you do not mean by that that the Corporation desired to make a fund for their own purposes?—No, I do not for a moment say that they took money from the trust, but they very much altered the trust at this time.

5257. I mean to say you agree with what Mr. Gomme has told us, that so far as he has been able to trace it, the Corporation have always regarded this as a trust, and have so treated it?—Yes. I have not followed the accounts very much.

5258. (*Chairman.*) They sought to convert part of the property into an income—producing property for the purpose of carrying out the trust?—Yes; well that may be, and was so to some extent, but there was a long period during which the trust was very inefficiently carried out, because——

5259. (*Mr. Crawford.*) Because why?—Because the lectures were held in a small room, inconvenient to get at, in the Royal Exchange.

5260. That was the origin, was it not, of the petition to pull it down; however, I do not think we need go into the earlier history. I do not want to leave the impression on anyone's mind that the Corporation had done anything else than look at this as a distinct trust.

5261. (*Lord Farrer.*) It is a question of the management of the trust, not of any attempt to defeat the trust?—Oh no, I think I was right about that, Mr. Crawford. It was not in connexion with a desire to move it from the Royal Exchange, but to pull down the old Gresham College and sell the site that the petition was made to Parliament. In 1701, and again at later dates in 1717, the trustees petitioned Parliament for authority to pull down the college, but without success. In 1759 the project of pulling down the college was revived. An estimate was made by which it appeared that an income of 461*l.* a year might be obtained from the site.

5262. (*Lord Farrer.*) You say that an income of 461*l.* a year could be obtained from the site. Does it appear how the income was to be applied when it was obtained, from anything that you have learned?—It was to be applied to the trusts, no doubt, of Sir Thomas Gresham's will, and the Act by which the agreement to sell the site was ultimately sanctioned makes certain provisions altering the terms of the trust The Government of the day in 1767 being in want of an Excise office, entered into an agreement

* *See also* Kemp 5903–4.

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with the Gresham Committee for the sale of the site of Gresham College to the Government in consideration of an annuity of 500*l.* to be paid to the Corporation and the Mercers' Company, who were to contribute 1,800*l.* towards pulling down the building. A Bill was introduced to confirm the agreement, and the lecturers petitioned that the restriction contained in the will of Sir Thomas Gresham with respect to their marriage might be taken off. The Act of 8 George III., cap. xxxii. was passed, and it provided that by reason of the professors being deprived of their lodgings their salaries should be raised from 50*l.* to 100*l.* per annum, that the trustees should provide a place for the delivery of the lectures, and that it should be lawful for the professors to marry notwithstanding any restriction in the will of Sir Thomas Gresham. This Act of Parliament changed the nature of the Gresham foundation altogether, and destroyed its collegiate character. The professors ceased to possess a place where they could together inhabit and study. A room in the Exchange was, however, set apart for them for their lectures, capable of containing about 100 persons. It was difficult to find and not easy of access, which was a matter of consequence in the case of lectures attended by an audience almost entirely casual. Little is to be found about the lectures till the year 1815, when the attendance appears to have dwindled to about 10. Then as to the almshouses, one was erected by the City in Whitecross Street for the habitation of the almsfolk, where the City Greenyard now is.

5263. (*Chairman.*) There were almshouses?—There were almshouses.

5264. Bequeathed by Gresham himself, were there not?—Yes, they were. When they were discontinued I am afraid I have not got a note of.

5265. And you do not know the site of them?—Situate in the parish of St. Peter's le Poer at the back side of the said Mansion House. That was the Mansion House which was in Bishopsgate Street. The almshouses have been removed to Brixton. In 1838 the Royal Exchange was again burnt down, and the lectures were transferred to the City of London School, which at that time was, of course, not where it is now, but on the site of the Old Honey Lane Market.

5266. It was built about that time, was it not?—The Act was in 1834, I think. In this year a petition on behalf of the professors was presented to the House of Commons, urging the reconstruction of a college on a footing somewhat similar to that which had been destroyed in 1768. In 1843 a site was provided by the Corporation and the Mercers' Company on the north side of Gresham Street for a new college, and on this site the present Gresham College was erected, at an expense of 7,000*l.*, making, together with the cost of the site, 12,760*l.* In 1852, the building erected on the old site of Gresham College, for the purpose of an Excise office, was sold by the Government, together with the land attached to it, for 108,000*l.*

5267. (*Mr. Crawford.*) The Government made a very good thing out of it, Mr. Kemp?—The Government made a very good thing out of it.

5268. (*Chairman.*) And the Gresham Trust a very bad thing?—Yes.

5269. (*Mr. Crawford.*) It is now known as Gresham House. The Government made a very good thing out of it.

5270. (*Chairman.*) The new college somewhat restored the collegiate character of the place. It contains some lodgings for professors, does it not?—I think not, but I am not sure of that, whether the professors reside there.

5271. (*Mr. Crawford.*) No, they do not reside there.

5272. (*Chairman.*) There are some bedrooms, are there not?

5273. (*Mr. Crawford.*) Not in the present Gresham College. In re-building the Exchange considerable improvements were made in the approaches and in the neighbourhood. By the Act of 1 & 2 Vict. cap. c., the Corporation were authorised to raise for the purposes of the Act a sum not exceeding 150,000*l.* on the credit of the London Bridge Approaches Fund (that was the fund formerly the orphans' fund; it came to be called by that name), and by 5 & 6 Vict. cap. ci. they were empowered to borrow a further sum of 40,000*l.* The City contributed a sum of 23,337*l.*, and upwards of 20,000*l.* was obtained from sales of surplus grounds and old materials, and in this way was raised the sum of 234,386*l.* 16*s.* 6*d.*, which was the cost of the new site. The building cost 169,875*l.*, but 45,000*l.* was received from the insurance companies, and 2,763*l.* for the old materials, leaving a balance of 122,111*l.* for the new building to be paid by the two Corporations, making upwards of 61,000*l.* for each of them.

5274. (*Mr. Crawford.*) Did you get these particulars from the Corporation Report, Mr. Kemp?—No, I have taken them from this Parliamentary return.

5275. But that is information returned by the Corporation?—Oh, yes, no doubt; I think it was. I think I took, as far as I remember, everything from this. Sir Thomas Gresham did not pay for the original site of the Royal Exchange. It was purchased by the companies and the citizens by subscription. In his report to the Charity Commissioners in 1837 Mr. Martin says that the site of the Exchange was no part of Sir Thomas Gresham's gift. If this is true, then the whole endowment of the College was gone when the old Exchange was burnt in the Fire of London. But the site appears to have been conveyed to Sir Thomas by deed dated the 14th May, 8 Elizabeth, and the language of his will would seem to include it, and his widow took the whole rents during her life.

5276. (*Chairman.*) Do you know anything about that deed; who conveyed it to Sir Thomas?—Yes. It is true that it was purchased by subscription, but the subscribers conveyed or the conveyance was taken; it was purchased with their money, but the conveyance was taken to Sir Thomas Gresham.

5277. At their instance?—At their instance, yes. But whether he held it as his own or in trust——

5278 It can only appear by way of recital in that deed; the subscribers themselves could scarcely be parties to it?—No. I mean that it was not his money with which it was bought, but that the conveyance was to him when it was purchased.

5279. He treated it in his will as if it were his own?—As if it were his own.

5280. Who is Mr. Martin; a Charity inspector?—He was a Charity Commissioner, I think.

5281. He was ultimately, but he was an inspector at that time?—Yes; he is the author of the summary which is returned here of all the information in the possession of the Charity Commissioners as to the will of Sir Thomas Gresham and the estate.

5282. The Rebuilding Act of the 1st and 2nd of the Queen recites apparently that the site of the Royal Exchange was vested in the Corporation of London and the Mercers' Company?—That the site of the Royal Exchange was vested in the Corporation of London and the Mercers' Company upon the trusts of Sir Thomas Gresham's will. However this may be, there is no doubt that the Corporation and the Company have been put to great expense in twice rebuilding the Exchange; and although they have continued to pay the salaries of the professors and the other charges, they have long claimed that the Gresham Trust is, in fact, deeply indebted to them. The Commissioners of Inquiry of 1729 reported that a balance of 201,318*l.* 17*s.* 8½*d.* was owing to the two Corporations; but Mr. Martin reported in 1857 (I must have made another mistake, sir, about Mr. Martin. He is not the author of this, but his report is referred to largely in it) reported in 1857 that a mistake had been made, and that the amount owing to the two Corporations in 1729 did not probably exceed 80,000*l.*

5283. But who are these Commissioners who inquired; we have had no reference to them before, have we?

5284. (*Mr. Smith.*) There was an application to Parliament in 1717.

5285. (*Chairman.*) Without success, and in 1759 again.

5286. (*Lord Farrer.*) When you speak of the claim for a debt, you do not mean that there is any claim now made by the Corporation against the Gresham estates? I ask that question because I do not see any statement of the kind in the City case which has been put in.

5287. (*Mr. Crawford.*) Oh yes, Lord Farrer, there is, on page 130 there is 73,800*l.* owing.

5288. (*Lord Farrer.*) Charged on the City's moiety of the estate. Oh yes, a charge repayable to the City out of the funds of the Gresham Funds?

5289. (*Mr. Crawford.*) Certainly.

5290. (*Lord Farrer.*) They have advanced the money?

5291. (*Mr. Crawford.*) They have advanced the money, and there is a debt owing to them.

5292. (*Lord Farrer.*) On the security of the estate? Oh, quite so.

5293. (*Chairman.*) Then that is being gradually paid off?

5294. (*Mr. Crawford.*) That is being gradually paid off as is shown by the accounts.

5295. (*Lord Farrer.*) But they apparently have ample security for it in the Gresham estate.

5296. (*Mr. Crawford.*) Well, I should hope so with the increase in value of property; it was not thought so at one time, but of course property has enormously increased in the City, and therefore the security itself would increase in value.

5297. (*Chairman.*) Well, if the income is sufficient to give from 3,000*l.* to 4,000*l.* a year towards the capital, it will not take very long to pay that off.

5298. (*Mr. Crawford.*) No, but I did not want Lord Farrer to think there was nothing owing.

5299. (*Lord Farrer.*) I did not mean that; I meant that over and above this debt, there is no claim from the City estates.

5300. (*Mr. Crawford.*) Only you will not forget what I told the Commissioners the last time, that the Mercers' Company take a totally different view of that trust to what we do, and therefore it would not be fair to assume that they would admit the accuracy of the trust fund as detailed by Mr. Kemp, or even as admitted by the City; they take a totally different view.

5301. (*Chairman.*) You cannot affect their rights on the point. I confess I derived from reading these words the opinion that this was a burdensome trust to the City, that the City had out of its own money supplied money beyond what the Gresham estates were security for?—I think at one time they certainly did.

5302. (*Mr. Crawford.*) Oh yes, that appeared in the evidence we gave before the Commissioners in 1837, that it was a burdensome trust.

5303. (*Mr. Smith.*) That is how this money accumulated?

5304. (*Mr. Crawford.*) No doubt.

5305. (*Chairman.*) At the present moment, if that is a correct statement of the estates, the Gresham trusts afford ample security for it and the debt has been renewed.

5306. (*Mr. Crawford.*) I think you may safely take it that in course of time the whole of this indebtedness will be paid off; it will take some time.

5307. (*Mr. Smith.*) It is carrying interest?

5308. (*Mr. Crawford.*) Oh yes.

5309. (*Mr. Smith.*) Then it is an investment now?

5310. (*Mr. Crawford.*) Yes, at one time it had not sufficient to pay the interest.

5311. (*Mr. Smith.*) It was a burdensome trust then, but now there is a good income.

5312. (*Lord Farrer.*) And when it is paid off there will be a surplus of income applicable to the purposes of the Gresham trust.

5313. (*Mr. Crawford.*) Applicable to the purposes of the Gresham trust. I see that the Town Clerk, Serjeant Merewether, gave evidence upon this subject in 1854, and he spoke of it then at that time as being burdensome, and that the City had out of their own funds to augment the funds of the trust.

5314. (*Chairman.*) There has been quite recently a project for developing Gresham College, has there not?—Yes. In January 1892 the Gresham Committee passed the following resolution: "That this "Committee are willing to co-operate with Uni- "versity and King's Colleges, and the medical "colleges of the great hospitals of London, in the "establishment of the proposed University in and "for London, on the understanding that it be called "The Gresham University." The other parties concerned have assented to the condition, and petitions have been presented under the College Charter Act, 1871, for the grant of a Charter for a University in and for London to be called the Gresham University.

5315. A Royal Commission is now sitting which pays attention to that amongst other matters?—Yes.

5316. Next amongst the City estates comes its Courts?—Yes. The Courts of the City of London exist by charter or prescription, although their procedure is now regulated by statute. They arose from the special favour of the Crown, and are an essential part of the Civic franchises. The fees of the Courts belong to the Corporation as part of their general revenue. That is, of course, to say, after paying the expenses which are charged upon them by certain sections of the Act. The Charter of 23 Henry VI. grants to the citizens and their successors all fines and forfeitures for misdemeanours committed within the City or suburbs, wherever the offender is tried; and by the Charter of 14 Car. I. the grant of fines for misdemeanours is extended to those inflicted by justices of the peace. Formerly the officers of the Court received their remuneration in fees, but now they are all paid salaries. In the case of the City of London Court, the maximum amount of the fees to be taken is fixed by statute (they are the same as those of the county courts). And the expenses connected with the Court and principal and interest of money borrowed for the purpose of providing the Court-house are made a first charge upon the general fund of the Court, which is to be raised by special fees authorised by the Act. The surplus belongs to the Corporation.

5317. (*Lord Farrer.*) Do you know how the case stands in other large municipal corporations, whether they take the charge and receive the fees of the courts in their respective localities?—Where there are local courts?

5318. Yes, where there are local courts?—I think the local courts were all rights of property; they belong to someone, and in all probability—my knowledge does not extend to details—but I suppose they do principally belong——

5319. (*Chairman.*) Perhaps one of the Commissioners can tell us in what position the Court of Passage is?

5320. (*Mr. Holt.*) I am afraid I cannot tell you that. It is a Liverpool Court, as we all know. It is under the Corporation in some way.

5321. (*Lord Farrer.*) I think the Corporation take the fees?

5322. (*Mr. Holt.*) Oh yes.

5323. (*Lord Farrer.*) And pay the expenses?

(*Mr. Smith.*) We have no special courts in Birmingham. There are the magistrates' courts; those in Birmingham are a source of considerable profit to the Corporation?—You had a local court; I think its jurisdiction is excluded. There are powers to exclude the jurisdiction of any local court in all matters in which a county court has jurisdiction. You can do it by Order in Council by petition. That was done in the case of Birmingham, and in several other cases.

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5324. You are doubtless right. But it was done long ago. It is of no practical value?—It was done as long ago as 1852.

5325. It was a Manorial Court, I think?—Yes.

5326. We bought out some of the rights of the Lord of the Manor?—Yes.

5327. (*Chairman.*) Then as to the property in market tolls?—The market tolls have all been applied by statute to the payment of interest and repayment of principal of loans raised on the credit of the tolls of the various markets under the Acts which establish or regulate them. A statement of the borrowing powers under the Market Acts will show how this portion of the City's revenues is, and will for many years be, appropriated. The loans are all charged contingently upon the general revenues and estates of the Corporation.

5328. Taking all the markets together, is that an actual charge at present, and, if so, will it be an increasing or diminishing one?—The charge upon the estates?

5329. The residuary charge upon the estates of the Corporation?—The receipts from the markets, taken together, are more than sufficient to meet the payments in respect of interest, at any rate; so that, I think, there is no charge at present falling upon the general estates of the Corporation.

5330. Suppose you take into account any obligation for repayment of capital, it might be different?—It might be; but, of course, there is none.

5331. (*Mr. Crawford.*) You say there is none. There is, is there not, in connexion with the foreign cattle market and the Islington cattle market?—The Islington cattle market? I think not now. There was.

5332. Surely, if you have to construe the Contagious Diseases (Animals) Act, it says that after you have paid off the debt on the foreign cattle market, you ought to apply any profit in payment of the debt on the Islington Cattle Market. It must be so applied?—Oh yes. I beg your pardon; that is true. I was thinking of the Metropolitan Cattle Market Acts, under which at one time there was the necessity to have a sinking fund, because, in the Act of 1851—the Metropolitan Cattle Market Act of 1851—the clauses of the Commissioners' Clauses Act of 1847, with respect to mortgages, are incorporated in the Act; and under those clauses a sinking fund was necessary. And, again, in the Metropolitan Market Act of 1857, authorising further borrowing, the clauses of that Act of 1847 were again incorporated. But, at a later date, by the Act of 1865, the manner of borrowing was changed, and it was provided that all money—section 25 of the Act of 1857, authorising the Corporation to borrow money upon mortgage on the rates, tolls, rents, and payments belonging to them under the Act is repealed; and by section 8 it is provided that "all money borrowed under this Act may be secured "by bonds under the common seal of the Corporation, "and in such form, and containing such stipulations "and conditions as the Corporation shall think fit." And thus the necessity for a sinking fund under the Commissioners' Clauses Act is got rid of, and that market is put upon the same footing as all the others with regard to which I think there is no special obligation to pay off debt within a particular period.

5333. (*Lord Farrer.*) Supposing that the market tolls should fall off, as we have been told they are falling off at Deptford, the markets might become a considerable charge upon the City estates, might they not?—Oh, if the tolls became insufficient the debt is contingently charged upon the City estates.

5334. (*Chairman.*) On the other hand, if the debt were paid off, the tolls would have to be diminished?—There have been provisions in, I think, more than one Act—I know in one—that after certain moneys borrowed under the powers of the Act were paid off, the special tolls on which they were charged should cease. But I do not think that section is now in force, because the debt upon the whole of the Central Markets was amalgamated and charged, not only upon the tolls, but the rents of the markets, which in the first instance were separated and had separate charges upon them; and I do not remember any section in the Acts which would oblige the Corporation to take off, or even to reduce, the tolls when the debt is paid off.

5335. At the top of page 39?—That is the section.

5336. That is the section you had in your mind?—I think it is section 34. By section 37—that is of the Act of 1860, the Metropolitan Meat and Poultry Market Act, 1860—"the tolls which may be received under "Schedule A., together with the rent received from "any railway company for the use of the underground "station, are directed to be applied, first, in defraying "the costs and expenses of collectiug the same; "secondly, in the payment of the interest and prin-"cipal of the money expended in the purchase or "acquisition of land for the site of the market, and "of the roads or streets forming the approaches "thereto, and in making the improvements authorised "by the Act; and it is provided that when such "principal moneys shall be repaid, with all interest "accrued in respect thereof, the tolls in Schedule A. "shall cease and determine, unless Parliament shall "in the meantime otherwise direct." That was the section that I had in my mind.

5337. (*Mr. Crawford.*) Parliament has "otherwise determined," has it not, since?—It is rather a difficult question of construction. I would not like to say positively that it is so, but that is my impression, that there is not any provision at present for diminishing or causing the tolls to cease upon the repayment of debt being completed.

5338. (*Chairman.*) I do not think we need go through these minutiæ of these City markets.

5339. (*Mr. Crawford.*) I think Mr. Gomme gave this information?—Well, he gave the information. These are the borrowing powers under the Acts.

5340. (*Chairman.*) The financial situation has been explained to us already?—Yes.

5341. Well, then, the Grain Duty is the next property?—The Grain Duty was a duty which was imposed by the Metage on Grain (Port of London) Act, 1872. It is a duty of three-sixteenths of a penny per hundredweight upon all grain brought into the port of London for sale. That is a limitation, I understand. If you import grain for your own use in your own business, that is not, I think, liable to the duty; it is only grain "brought into London for sale" that is dealt with by the Act. I think there was a case.

5342. Grain *in transitu*, is that liable to duty?—I think not. Not only that, but not even grain——I am sorry I have forgotten the name of the case.

5343. (*Lord Farrer.*) Is there not a case *Combe* v. *The Corporation of London?*

5344. (*Mr. Crawford.*) That went up to the House of Lords, but before it was reached a settlement was come to.

5345. (*Lord Farrer.*) Quite so; it was the case that was proceeding when the Thames Conservancy——

5346. (*Mr. Crawford.*) Yes, but that turns on a question of Fellowship Porters; the right to have the grain measured by our own men and put in warehouses.

5347. (*Lord Farrer.*) *Combe* were brewers, but imported their own grain for their own purposes.

5348. (*Mr. Crawford.*) Yes. The case to which you are referring is the case of *Seth Taylor;* that is the case to which you are referring?—Yes, I think it was. I think it decides that the duty is limited to grain brought in for sale.

5349. That is to say that, assuming a brewer chooses to bring in the grain and then uses it for his own purposes, and not for sale, he is not liable to the duty?—That is so; he is not liable for the duty.

5350. And that was the gist of the judgment in the case?—Yes.

5351. This duty was a kind of composition for more lucrative sources?—For the right of metage of grain which the Corporation had by ancient charter.

5352. (*Mr. Smith.*) It must be grain sold as grain. I mean it must be all sold as grain?—As grain, I take it.

5353. That is rather in contravention of the saying, "Either in meal or in malt," is it not?

5354. (*Lord Farrer.*) It is not upon flour?

5355. (*Mr. Crawford.*) It does not come in as flour. I have never known it come in as flour, not sea-borne grain. Of course, we know that there is an enormous importation at the present moment from Austria and other places, of flour—But the whole of this is applicable, as you know, to open spaces.

5356. (*Chairman.*) Then we shall go on to that?—This duty was, by the Act of 1872, directed to be held by the Corporation for the preservation of open spaces in the neighbourhood of London not within the metropolis. Section 9 of the Act gave the Corporation power to borrow 99,000*l.* on the credit of the duty. The City of London Various Powers Act, 1877, empowered the Corporation to borrow the additional sum of 50,000*l.* on the credit of the same duty. By the Corporation of London Open Spaces Act, 1878, the Corporation was given power to make an agreement with the Dean of St. Paul's for the acquisition and management by the Corporation of the Churchyard of St. Paul's as an open space. I may, perhaps, observe, with regard to that Act, that the agreement, I notice, is to be made with the Dean and Chapter of St. Paul's. It has already been given in evidence that the Lord Mayor is a trustee of St. Paul's. I did not know that at the time and I tried to find out about it. I could not come to any certainty of knowledge. I suppose it is meant that under one of the Acts for the rebuilding of London the Archbishop of Canterbury, and the Bishop of London and the Lord Mayor were directed to apply part of the coal duty that was authorised by the Act in rebuilding St. Paul's Cathedral. I have not been able to find anything else. I should not myself have thought that that constituted them permanent trustees of the building or vested it in them. But in the City Commissioners of Sewers Act, 1851, where there is a power given to enter into agreements with reference to this churchyard of St. Paul's, I find that the power is to agree both with the Dean and Chapter and with the trustees of the fabric of St. Paul's, who are described as the Archbishop of Canterbury, the Bishop of London, and the Lord Mayor of the City, but under this Act of 1878, which is the one under which they actually did lay out the churchyard, the only parties who are directed or authorised to "agree" are the Dean and Chapter.

5357. But that did not affect the fabric at all?

5358. (*Mr. Smith.*) No, that is the point?—No; but neither does the Act of 1851, I think; it only has reference to the churchyard.

5359. (*Mr. Crawford.*) Need we go into that, Mr. Kemp?

5360. (*Chairman.*) It is an interesting point. You have got it there. You may look at it. It is a very curious point?—Well, I have heard it alleged that the Lord Mayor was a trustee; and I should have thought, *primâ facie*, that the Dean and Chapter had the Cathedral, and I tried to find out why it was.

5361. The past Lord Mayor did not appear to remember any call upon him to act in respect to that.

5362. (*Mr. Smith.*) It did not make any great demand on his time, I think.

5363. (*Mr. Crawford.*) You find in the 46th section of the Act of 1851—of the Sewers Act of 1851:—"And whereas it may hereafter be thought desirable "to open and lay into the public street the ground, "area, or space in the west front of the Cathedral "Church of Saint Paul, now enclosed with an iron "rail or fence, or some part thereof: Be it therefore "enacted, that it shall be lawful for the Commis- "sioners to treat and agree with the Archbishop of "Canterbury, the Lord Bishop of London, and the "Lord Mayor of London, the trustees of the fabric of "the said Cathedral Church, or any two of them, and "with the Dean and Chapter of the said Cathedral "Church (who are hereby severally authorised and "empowered to contract, if they shall think fit to do "so, with the Commissioners accordingly) for open- "ing and laying into the said public street all or any "part of the ground, area, or space lying westward "of the great steps leading up to the said church "(except that part encompassed with the iron rail "whereon the statue of the late Queen Anne is "erected), and in the event of any such agreement "being entered into as to all or any part of the said "ground, area, or open space, the Commissioners are "hereby authorised and empowered, by and out of "the moneys arising out of the consolidated rate, to "make such compensation for the same to the said "trustees as shall be mutually agreed upon, and "thereupon to cause the said ground, area, or space "(except as before excepted), or so much thereof as "shall be so agreed for, to be opened and laid into "the public street, any law or prescription to the "contrary thereof in anywise notwithstanding." So that, at all events, up to 1851, Mr. Kemp, Parliament has looked upon those three worthy gentlemen as trustees of the fabric of St. Paul's?—I said so. I found the reference in this Act. But I was rather surprised to find in the later Act, with which you dealt with what seemed to be very much the same property, the same ground, not the building, no reference to the trustees of the fabric.

5364. I think you will find there was an interference with steps under this Act of 1851.

5365. (*Mr. Smith.*) Those old railings, perhaps; the Sussex iron was not part of the fabric, perhaps?

5366. (*Mr. Crawford.*) The land round about was not dealt with as part of the fabric itself.

5367. (*Chairman.*) That, I suppose, involved no charge upon the Grain Duty; although it may have been a little departure from the original trust?

5368. (*Mr. Crawford.*) There was a particular clause authorising the expenditure?—I have the Act. There is a charge in the accounts, I see, of the year, of a sum of 200*l.* and 300*l.* for the churchyard of St. Paul's.

5369. (*Mr. Smith.*) They had distinct statutory authority for it in 1878 apparently?

5370. (*Mr. Crawford.*) The way in which it works out is this: There was authority given to enter into the agreement, and the moment the agreement was carried out, it became one of the open spaces of the Corporation, and came under the provisions of the Open Spaces Act of 1878. The actual alterations were done out of the City's cash, and not out of the Grain Duty; but the moment it became an open space under the control of the Corporation in pursuance of this Act, of course the charge for maintenance was properly chargeable to the Grain Duty.

5371. (*Chairman.*) That Grain Duty, by the original Act, was directed to be held by the Corporation for the preservation of open spaces in the neighbourhood of London, not within the Metropolis?

5372. (*Mr. Crawford.*) Perfectly true; but in this Act there was a special clause put in for this purpose.

5373. (*Chairman.*) Authorising the charge in fact?—By Section 4 of the Corporation of London Open Spaces Act of 1878, the Corporation were empowered to acquire by purchase, gift, or otherwise, any common or commonable land, or open space not within the metropolis, but within 25 miles from the nearest point of the boundary of the City, and to preserve the same as open space, carrying to the credit of the City of London Grain Duty all rents and profits arising therefrom; and for the purposes of the Act the Corporation are empowered to borrow a further sum of 50,000*l.* upon the security of the said duty. By the Epping Forest Act of 1878, the Corporation of London are made the Conservators of Epping Forest; and by Section 39 it is enacted that the Corporation of London shall from time to time contribute to the capital and income of a fund to be called the "Epping Forest Fund," such moneys as shall be necessary out of the City of London Grain Duty, or from other sources. By the Highgate and Kilburn Open Spaces Act, 1886,

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certain lands at Highgate and Kilburn are transferred from the Ecclesiastical Commissioners to the Corporation of London, to be preserved by them as open spaces. By Section 5 the Corporation is empowered to borrow on the credit of the City of London Grain Duty, and of their estates generally, any sum not exceeding 15,000*l.* for the purposes of the Act. Of course I have not stated nearly all the open spaces which the Corporation has under its authority. I have only stated the Acts which give them power to borrow upon the security of this duty for the purpose.

5374. (*Lord Farrer.*) Then there are other spaces that are within the 25 miles?— Oh, yes.

5375. (*Mr. Smith.*) Mr. Gomme mentioned a good many of those.

5376. (*Lord Farrer.*) Yes.

5377. (*Mr. Crawford.*) Yes, Mr. Gomme mentioned a good many of them.

5378. (*Chairman.*) Burnham Beeches.

5379. (*Lord Farrer.*) Coulsdon.

5380. (*Mr. Smith.*) A place on the river.*

5381. (*Lord Farrer.*) Yes.

5382. (*Chairman.*) Then there is a small revenue, insufficient, apparently, to meet the expenditure of the fruit metage?—Well, the fruit metage and the voluntary grain metage. The fruit metage is, I believe, in practice only voluntary, though the right to measure fruit and edible roots compulsorily still exists.

5383. (*Mr. Crawford.*) Under the Charter of James?—Under the Charter of James.

5384. (*Chairman.*) It is too troublesome to exercise by compulsion?—That, I suppose, is the reason.

5385. Is it any advantage to anybody—this metage—except the officer?

5386. (*Mr. Crawford.*) Oh, yes, so far as the trade is concerned?—Seeing it is voluntary, I presume it must be an advantage to the people.

5387. (*Mr. Smith.*) There is no obligation on the part of the Corporation to continue it unless they wish?—That is a right of property—a franchise. Then the next point is, the fees and fines on admission to the freedom. All the revenues derived from the fees and fines payable on admission to the Freedom of London are appropriated to the support of the Freemen's Orphan School, by an Act to which I shall have occasion to refer to a little later. The Library, Museum, and Art Gallery are under the management of the Library Committee. The Art Gallery was opened by the Lord Mayor on the 24th June, 1886. It then consisted of 100 works of Art, for the most part presented from time to time by aldermen and others to the Corporation, and previously hung up in the Council Chamber and at the Mansion House. The cost of the Library, Museum, and Art Gallery are paid by the Corporation out of their general revenues, and in exercise of their general powers.

5388. (*Chairman.*) That is entirely voluntary?—Yes, entirely.

5389. And there is no statute dealing with any part of it?—No.

5390. (*Lord Farrer.*) And the Library and Museum are open to the public—quite open?—I do not know.

5391. (*Mr. Crawford.*) Oh, yes, quite open to the public?—Yes.

5392. (*Mr. Smith.*) Are the Loan Exhibitions conducted in the same way under this assumed trust, or rather this obligation that they have taken upon themselves?

5393. (*Mr. Crawford.*) Oh, yes; they are free to the public.

5394. (*Mr. Smith.*) Oh, yes, I know they are.

5395. (*Chairman.*) But it is a voluntary office undertaken by the City—holding a Loan Exhibition; and the cost of it is defrayed out of the City's cash.

5396. (*Mr. Crawford.*) Out of the City's cash.

5397. (*Chairman.*) The Corporation has some ecclesiastical patronage?—It has some. They are the proprietors of the advowsons of St. Peter's, Cornhill; St. James's, Duke's Place, and St. Catherine Cree, alternately with Magdalen College, Cambridge.

5398. Those two latter are alternately with Magdalen College? According to the punctuation it is so—there is a semicolon after "Cornhill"?—Yes.

5399. St. Peter's, Cornhill, is absolute?—Yes.

5400. St. James's, is that alternate with Magdalen College?—That and St. Catherine Cree are held alternately with Magdalen College, and St. Margaret's Pattens, at the bottom of Rood Lane, alternately with the Crown. St. Bartholomew's, Bethnal Green, St. Mark's, Victoria Docks, St. Peter's, Bethnal Green, and St. Mark's, Clerkenwell. They present to these livings by election by the Common Council.

5401. That last sentence refers to all?—I intended it to do so.

5402. These four last suburban churches probably arose out of the removal of some City churches?—I do not know how that is.

5403. With the application of some of the funds to suburban churches—City churches being those in which the Corporation had previous interest.

5404. (*Mr. Crawford.*) It was so, under a Commission issued?—I do not know how they became——

5405. (*Lord Farrer.*) Just before we leave this—to go back to the markets for one moment. I did not quite gather what was your opinion with regard to the ultimate destination of the tolls of the markets. If the tolls of the markets are not sufficient to pay the charges upon them, then the charge not so paid all falls upon the City estates. Well, supposing that the market tolls are more than sufficient, or that the debt is paid off, I did not quite gather what was your opinion with regard to the ultimate destination of those market tolls—whether the City was bound to reduce them, or whether the City would be able, supposing it wished, to make a profit by them?—I think that they would belong to the Corporation.

5406. As property of the Corporation?—As property.

5407. (*Mr. Smith.*) No obligation to reduce them, I understand?—I understand so.

5408. You rather referred back to a section, and then you differentiated?—Yes. There was in the case of one loan, a provision that a toll authorised by the Act should cease upon the repayment of the loan.

5409. (*Mr. Crawford.*) I can give you the reference. It was section 23 of the London Central Markets Act of 1875. I think the Chairman will remember this, because I remember it came before you, sir:—"All money borrowed or advanced by the "Corporation before or after the passing of this Act "under or for the purposes of the following Acts "(namely)—

"The Metropolitan Meat and Poultry Market Act, 1860;

"The Metropolitan Meat and Poultry Market (Western Approach) Act, 1862.

"The Metropolitan Meat and Poultry Market "(Borrowing) Act, 1874; shall be and the same are "hereby charged without distinction on all tolls, "rents, estates, and property in those Acts made "security for money borrowed or advanced there-"under, and for that purpose all those tolls and rents "shall be carried to a common account, and the "accounts of receipts, expenditure and liabilities in "respect thereof shall be amalgamated." And the Acts which have been passed since 1875, the Act of 1882, and the Act of 1886, were to be read as if they contained a similar clause, so that from that time the accounts were all amalgamated. That does not apply to the Foreign Cattle Market nor to the market at Islington?—To the market at Islington.

5410. (*Chairman.*) There are several institutions with which the Corporation is connected. The first are the Royal hospitals?—The first are the Royal hospitals. The suppression of the monasteries by Henry VIII. gave rise to many difficulties with regard to the relief and management of the poor and sick, and it was in connexion with the attempt to cope with these difficulties in the City of London that

* *Shiplake Island. See* Gomme.

the Royal hospitals came under the control of the Corporation. In 1538 the Corporation of London petitioned the King to grant them the rule and governance and the rents and revenues of the hospitals called St. Mary Spittal, St. Bartholomew Spittal, and St. Thomas' Spittal, and the New Abbey at Tower Hill, for the relief of the poor, sick, and needy persons. The King granted St. Bartholomew's, Christ Church, and Bethlem, then near Bishopsgate, and endowed the first of these with 500 marks a year, on condition that the Corporation should provide an equal sum. The hospital of St. Thomas in Southwark was purchased by the Corporation, and Edward VI. confirmed and granted it to the City, with the before-mentioned hospitals of Christ Church and Bethlem and the King's Palace of Bridewell. The Charters of Henry VIII. and Edward VI. gave the Corporation of London complete control of the poor of the City, but the general system of poor laws established by Elizabeth introduced a change, and the hospitals were diverted from their original purposes. St. Bartholomew's and St. Thomas's were devoted exclusively to the sick, Bethlem became a lunatic asylum, Christ Church a school, and Bridewell a prison for vagrants and apprentices. The Governors of these hospitals are incorporated, and have a common seal, which is kept by the City Chamberlain.

5411. What is St. Mary Spittal?—It was not a hospital which was granted, although it was in the petition. I do not know what it was. In 1782 an Act was passed which still regulates the rights of the Common Council to appoint Governors of these hospitals, with the exception of Christ's Hospital, which is now managed under a Scheme of the Charity Commissioners which came into force in 1891. The Act recites that disputes and differences had arisen between the Corporation of London and the Presidents, Treasurers, and Acting Governors of the Hospitals of Christ, Bridewell, and St. Thomas the Apostle, and the House of the Poor in West Smithfield, near London (that, of course, is St. Bartholomew's), and the Hospital of Bethlem, touching their respective rights and privileges in the management and government and disposition of these hospitals, and their estates and revenues, and that terms of agreement had been arranged between them. The Act sets out the agreement and confirms it. The 4th Article of the Agreement empowers the Court of Common Council to nominate 48 of their number to be Governors of the Hospitals of St. Bartholomew, Bridewell and Bethlem, St. Thomas, and Christ Hospital; 12 to each, who are to act so long as they remain members of the Common Council; their places are to be filled up by election if they become vacant. The Common Council appoint Governors of all the Royal hospitals, except Christ's Hospital, under the authority of this Act, and the election of these Governors is carried out under regulations of the Court of Common Council dated the 24th February 1870, and the 19th of March 1891. The Lord Mayor for the time being is the head of the Royal hospitals, except Christ's Hospital, by the ordinance made by the Mayor and Commonalty and citizens of London in 1557, and all the Aldermen are *ex officio* Governors.

5412. That is in addition to the Governors appointed by the Common Council?—In addition to the 12 sent to each of the four by the Common Council.

5413. There are now 36. Is it 48 reduced to 36 in consequence of Christ's Hospital being put under a separate scheme, or is it 60 reduced to 48?—It is now 36. When giving the terms of the Act I included Christ's, but it is now excepted.

5414. Bartholomew's, 12; Bethlehem and Bridewell, 12; and St. Thomas's, 12?—Yes. Under the scheme of the Charity Commissioners of 1890, the Lord Mayor and Aldermen of the City of London are made *ex officio* Governors of Christ's Hospital, provided that if at any time the number of Aldermen of the City of London shall be increased, such increase shall not operate to increase the number of *ex officio* Governors of the foundation; but the Lord Mayor and 25 senior Aldermen only shall thenceforth be *ex officio* Governors. The Common Council of the City are authorised by the scheme to appoint 12 Governors who shall be members of the Common Council, and shall be appointed as often as there may be occasion. These Governors are to be appointed for the term of six years, but so that two shall go out of office at the end of each year.

5415. That preserves the same proportion as in 1782?—Yes.

5416. That agreement separates the estates of each of the hospitals? Each has its own endowment?—The agreement in the Act of 1782?

5417. 1782—yes; or did it exist before that agreement—each hospital had its own endowment?—I do not think the Act dealt with endowments at all; it was simply a dispute as to the right of appointing the Governors.

5418. (*Mr. Crawford.*) I think Bethlem Hospital, which is now joined on to Bridewell, was really founded by a former Sheriff of London, was it not, in 1247, and then it was subsequently joined on to Bridewell?—To Bridewell.

5419. (*Chairman.*) Henry VIII. seems to have granted it?—It was granted I think by ——

5420. (*Mr. Crawford.*) Oh, it is very likely that Henry VIII. may have taken possession of it; but it does not do away with the original foundation.

5421. (*Chairman.*) Oh, well, all these hospitals were religious foundations before the suppression of the monasteries, and were re-granted?—Yes, they were religious foundations before the suppression of the monasteries.

5422. (*Mr. Crawford.*) This was founded originally for distracted people?—I was going to add that, as I think I am not perfectly clear when I say here that the Hospitals were diverted from their original object, because although they were obtained in connexion with the relief of the poor, that also included the relief of sick persons, and in the case of Bethlem Hospital, distracted persons were specially treated there.

5423. There is one thing you have not told us, and that is, that the Lord Mayor is entitled always to have a child on the foundation. That is the only thing that is left to the Corporation out of Christ's Hospital?—Oh, in connexion with Christ's Hospital.

5424. Formerly all the Aldermen had presentations, but under the scheme that was taken away from them, and the only thing that was left was to let the Lord Mayor always have a child, a boy or girl, on the foundation.

5425. (*Mr. Smith.*) A presentation?

5426. (*Chairman.*) One nomination to each Lord Mayor.

5427. (*Mr. Crawford.*) Yes, to each Lord Mayor; and I think the Duke of Cambridge was treated in exactly the same way; and ever since the scheme has come into operation the charity has gone down; it is in an awful state at the present moment.

5428. (*Chairman.*) The City of London School?—The City of London School was constituted by a private Act of Parliament, 4 & 5 William IV., c. 35. This Act recites "That the Corporation are desirous "of establishing a school in the City of London for "the instruction of boys in the higher branches of "literature; that the yearly sum of 19*l.* 10*s.* had for "many years been paid by the Corporation out of "the rents and profits of lands and tenements belong-"ing to them which are usually called the estates of "John Carpenter, formerly Town Clerk of the City, "towards the education and clothing of four boys, "sons of freemen of the City, and that such payment "is believed to be made in pursuance of the will of "the said John Carpenter, but that the will cannot "be found."

5429. The estates of John Carpenter were recognisable then, do I understand?—Yes, and they are now.

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The Act further charges these said estates with 900*l.* a year endowment of the City of London School.

5430. And they have been kept separate?—They were known; yes, they have been kept separate. "That the Corporation are willing, instead of paying "the said sum, to charge the said lands called the "Carpenter Estates, together with other hereditaments belonging to them, with the payment of the "perpetual annual sum of 900*l.* towards the support "of such a school; that the market called Honey Lane "Market, belonging to the Corporation, has of late "years been very little used, and that the Corporation "are willing that it should be abolished, and the site "appropriated for the purposes of such a school." By section 1, Honey Lane Market is directed to be discontinued, and by section 3 the site of it is appropriated as a site for a school, and the Corporation are directed to erect a school. The Corporation are bound to maintain this school in perpetuity, for the religious and virtuous education of boys, and for instructing them in the higher branches of literature, and all other useful learning. The Common Council are empowered and required to make rules and regulations respecting the number and qualifications of the masters, the salaries to be paid them, the admission of boys, the subjects in which they are to be instructed, the hours of attendance, and otherwise for the conduct and management of the school.

5431. The fees to be paid are not mentioned; that is within their power?—Yes.

5432. We recently discussed a question of altering them.

5433. (*Mr. Crawford.*) They are fixed by the regulations.

5434. (*Chairman.*) Yes; but it is within their power to alter the regulations from time to time. It is not mentioned in this?—No; I should have included that. The rules are to provide that the authorised version of the Bible be used and taught in the school, and that every morning and evening prayers be read. The Corporation is to appoint the masters, but as regards the two principal masters, subject to the restrictions that no person shall be appointed unless he shall have been examined by the Professors of Divinity and of Classical Literature and of Mathematics at King's College, London, and the Professors of Greek, Mathematics, Natural Philosophy, and Astronomy of the University of London. The lands and hereditaments belonging to the Corporation specified in the schedule to the Act, being the lands devised to them by the said John Carpenter, are charged with the payment of 900*l.* a year for ever, to be applied towards the maintenance and repair of the school. The yearly sums payable by the Corporation, in pursuance of the will of John Carpenter, are discontinued. The Corporation are authorised to appoint a Committee to carry out the Act.

5435. Are those restrictions about the appointment of two principal masters still observed?—I suppose they are. I do not know.

5436. They must be modified by subsequent events. There are no Professors in the University of London. What was then called the University of London is now the University College.

5437. (*Mr. Crawford.*) So far as they can be carried out, I may say they are. We recently had to elect a head master, and also a second master, and this clause, so far as it applied to the present day, was trictly carried out.

5438. (*Chairman.*) I should have thought candidates would have objected now to have undergone that *quasi* humiliation; it must have been merely formal.

5439. (*Mr. Crawford.*) No. There was an examination, because there was competition. You see that they are at liberty to return so many. From the number returned the election takes place.

5440. (*Chairman.*) It is not stated here.

5441. (*Mr. Crawford.*) It may not be set out there; but it is set out in the Act.

5442. (*Chairman.*) Are they bound to return more than one?

5443. (*Mr. Crawford.*) Yes; they are bound to return three—the three best qualified.

5444. (*Mr. Smith.*) After examination?

5445. (*Mr. Crawford.*) After examination. It is possible for a dozen to go in for the examination; but they have to return the three best qualified in their opinion.

5446. (*Mr. Smith.*) An examination of head masters?

5447. (*Mr. Crawford.*) Yes. It is strictly carried out.

5448. (*Mr. Smith.*) It sounds like retributive justice, does it not?

5449. (*Mr. Crawford.*) Well, I should think the boys rejoice?—It is also provided in the section that deals with the appointment of the masters that it shall be, "in case the said professorships or any of them "shall be altered, by such three Professors of the said "College and such three Professors of the said Uni-"versity, respectively, as shall be deemed by the "said Mayor, Aldermen, and Commons in Common "Council assembled to correspond nearest with the "Professors herein-before mentioned."

5450. That is the proviso of section 7?—Yes. That, however, does not provide for the case of their ceasing to be professors in such a university at all.

5451. Perhaps you may find a way out of the examination, Mr. Kemp?—By the City of London Schools Act, 1879, the Corporation are empowered to appropriate to the purposes of the school an acre and a half of the lands facing the Victoria Embankment, belonging to the Corporation, and to erect a building with stables, offices, playgrounds, yards, approaches, conveniences, and appurtenances, for the purpose of transferring thereto and maintaining thereon the school, and they are directed, when the new premises are ready, to remove the school to them. All the money charged by the Act of 1834 on the hereditaments named in the schedule to that Act are to continue applicable to the maintenance of the new school, and the provisions of that Act, and any rules and regulations made under the authority of it with respect to scholarships, exhibitions, and endowments, and all rights, powers, and privileges belonging to the school shall apply, belong, and attach to the school when removed. The value of the new site was estimated at 184,075*l.*, and the cost of the new school, opened in 1882, was 111,721*l.*, and was paid out of the reserve fund of the Corporation. The site and the new school were a gift by the Corporation, and the 900*l.* is a charitable endowment which the Corporation are legally bound to continue, but, subject to this, there is no reason in law why the fees of the school should not be so regulated as to make it self-supporting.

5452. (*Chairman.*) What was the value of the old site and the building thereon?—I am afraid I have not got that.

5453. (*Mr. Crawford.*) I think you will find it stated in the Corporation statement, and under the latter part of section 8, all the moneys arising from the sale were to be carried to the credit of the General Estates of the Corporation. The latter part of section 8 of the Act of 1879?—Yes.

5454. "All moneys arising from time to time from "any such sale, lease, or disposal, shall, after payment "of all expenses incident thereto or connected there-"with, be carried to the credit of the Corporate "funds, and shall form part of the same"?—Yes; that is the provision of the Act of 1879, that powers are given to the Corporation to "sell, lease, or other-"wise dispose of the old premises" and the site, and the moneys arising therefrom are, after the payment of all expenses, to be carried to the credit of the Corporate fund and form part thereof.

5455. (*Chairman.*) The statement put in by the Corporation says that even after allowing that, there will be a balance of over 200,000*l.* expended in consequence of the removal?—Yes.

5456. (*Mr. Crawford.*) And the same liability remains to the Corporation to maintain the school?—I read that.

5457. Did you read that? I thought you did not. I thought you cut section 5 rather short?—I thought you were going to say to pay the 900*l.*

5458. The same provisions apply?—Oh, yes, the same provisions to maintain the school.

5459. In perpetuity?

5460. (*Chairman.*) But there is no obligation to contribute towards the maintenance?—There is no obligation.

5461. Beyond the 900*l.*?—Beyond the 900*l.* there is no special obligation. What the meaning of "maintaining the school in perpetuity" might be is another thing.

5462. (*Mr Crawford.*) The words are, "Carry on "the school in like manner in every respect" under the Act of 1879; and therefore the Corporation would hardly like to let it go down.

5463. (*Chairman.*) I suppose the Corporation is not under legal obligation to continue the school upon such terms of fees and outlay as to make it a burden upon their expenses. Before that Act, and that Act left it unchanged, they were still free to regulate the fees so that the schools shall be self-supporting?—That they may certainly do. But assuming that they were not able to obtain fees that would make it self-supporting, the question that I was thinking of, and which, perhaps, is one of some little doubt, is, what is the meaning of maintaining the school in perpetuity; and if the Act of 1879 has——

5464. (*Mr. Crawford.*) I do not think you need trouble yourself with that point, Mr. Kemp, because the matter was thoroughly threshed out recently in litigation with the Inland Revenue as to a liability to pay certain duty, and the Court held that this was distinctly in the nature of a charity, and must be perpetually maintained, and therefore that there was no duty payable. There was a very long argument, and a very long judgment given.

5465. (*Chairman.*) No succession duty, you mean?

5466. (*Mr. Crawford.*) No, it was in connexion with the land tax, the Queen's taxes, and the corporation duty.

5467. (*Chairman.*) The Guildhall School of Music is a voluntary institution?—The Guildhall School of Music is a voluntary institution. It was established by the Corporation, in 1880, for the purpose of supplying instruction in the art and science of music at moderate cost to the student. The Corporation has erected and furnished a new building on the Victoria Embankment at a cost of 25,930*l.*, paid out of the reserve fund, and provided funds for establishment charges. It was opened in 1886. Besides all branches of music, instruction is given in Italian, French, German, and elocution. There is a large staff of masters of the highest reputation. Forms of nomination, when filled up, must be signed by an Alderman or a member of the Common Council. Students are admitted at the commencement of the term, or at the half-term. The fees vary according to the section, and the number of subjects in which the students arrange to take lessons, and also according to the professor selected by the principal. The principal is Sir Joseph Barnby, and the school is managed by the Music Committee, consisting of the Lord Mayor, six Aldermen, and 29 Common Councilmen. There are numerous prizes of ten and five guineas a year. There is an exhibition given by the Corporation of London of 200*l.* a year, another given by the Trustees of the Mitchell City of London Charity of 150*l.* a year, and several others of 10*l.* and 20*l.* a year, given by several of the City Companies. The school has no charter or Act of Parliament constituting it, and the funds for carrying it on are supplied by the Corporation in the exercise of their general powers of disposing of the corporate property. There is no reason why it should not be made self-supporting.

5468. (*Lord Farrer.*) They have spent some considerable sum upon it, I think?—Yes, I think it is about 28,000*l.* a year.

5469. 2,700*l.*, I think.

5470. (*Mr. Crawford.*) It is 2,700*l.* a year. You are mixing up the original expenditure.

5471. (*Mr. Smith.*) The original expenditure was 26,000*l.*, apparently.

5472. (*Chairman.*) What is that, Mitchell's Charity?

5473. (*Mr. Crawford.*) It is in connexion with technical education.

5474. (*Chairman.*) The Freemen's Orphan School?—The Freemen's Orphan School was constituted by a private Act (13 & 14 Victoria, c. x). By 13 & 14 Charles II., c. 12, the President and Governors of the Poor for the City of London were incorporated with power to hold lands of the yearly value of 3,000*l.*, and under that Act the London Workhouse was established for the reception and employment of destitute persons frequenting the City, but turned out a useless institution.*

5475. (*Chairman.*) How long did it last? It is a great jump from Charles II. to George IV.

5476. (*Lord Farrer.*) What the City case states is, that "In the course of time the London Workhouse, "founded in the reign of Charles II., which served a "very useful purpose for nearly two centuries, "became unnecessary for the purpose for which it "was established, owing to the removal of the labour-"ing poor to the outskirts of London."

5477. (*Mr. Crawford.*) As a matter of fact it was continued up to 1829.

5478. (*Lord Farrer.*) 200 years?—That would be the tenth of George IV. By 10 George IV., c. 43.

5479. (*Chairman.*) It "turned out a useless institution" apparently—the City case is accurate—very late, not long before George IV., in consequence of the removal of the poor from the City by natural causes?—That was the reason of its becoming useless. Perhaps I have stated this too sweepingly.*

5480. (*Lord Farrer.*) And the House of Correction and Parochial Workhouse were erected within the City?

5481. (*Chairman.*) Well, go on?—By 10 George IV., c. 43, the powers of the former Act are extended, and the Governors are authorised to sell the lands and pay the purchase money into the Bank of England to the credit of the charity estates of the London Workhouse.

5482. Can you tell us what the constitution of this President and Governors may be?—The President and Governors of the Poor in London were incorporated by the Act of Charles II., "The Lord Mayor "of the City of London for the time being was "made the President of the Corporation Workhouse, "established by the said Act for the relief and "employment of the poor in the said City, and the "Governors or assistants were the Aldermen of the "said City of London for the time being, and 52 other "citizens chosen by the Common Council of the said "city; and upon the vacancy by death or otherwise "of any Governor or assistant, the power to elect in "their room was given to the said Common Council."

5483. (*Mr. Crawford.*) That is set out in the preamble of the Act?—Yes, in the preamble of the Act of 10 Geo. IV.

5484. It is also repeated in the recent Act that you referred to—the Act of 1850?

5485. (*Mr. Smith.*) You seem to have had more than 100 Governors there; all the Aldermen of the City, 65 citizens, and 25 benefactors?—Yes.

5486. It is a rather over-managed institution, I should think?—The interest arising from these estates was available for the purpose of apprenticing Freemen's children, and of maintaining a school for the support and education of poor and destitute children. In 1850 the Governors of the Corporation of London Workhouse consisted of the Aldermen of

* *See also* Kemp, 5904.

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the City, 65 citizens, and 25 benefactors of 20*l.* each. The sum of 6,450*l.* was standing to the credit of the account in the Bank of England. In that year the Corporation petitioned the Lord Chancellor as to the appropriation of these funds. It was referred to a Master in Chancery to report whether it was desirable to apply to Parliament for power to establish a school for the orphan children of Freemen with this money, and the Master's report being favourable, an application was made to Parliament, and, by the Act already referred to, the Freemen's Orphan School was constituted. The Corporation of London was by the Act empowered to purchase a site for the school in Brixton or elsewhere; and by section 2 it is provided that the Mayor, Commonalty, and Citizens shall for ever thereafter maintain a school for the maintenance of religious and virtuous education of orphans of Freemen of the City of London. In addition to the funds above referred to, the Act makes applicable to the school the fees and fines payable on the admission of Freemen, and the fines payable by persons refusing offices, and the establishment of the school was intended by the Corporation to be an inducement to persons to take up their freedom.

5487. (*Mr. Crawford.*) I see you quote from the evidence of Mr. Hale?—In 1854.

5488. And Mr. Hale, I see, on turning to the evidence, says that the Corporation ought really to be thanked for having undertaken this school. I mean to say you do not mean this in any way as a reflection?—As a criticism, not in the least.

5489. It would be no benefit to the City that persons should take up their freedom. There can be no pecuniary benefit to the City that persons should take up their freedom, because the fees go entirely to the school?—Yes; but still, it is a school for Freemen.

5490. What Mr. Hale says is: "I think the public "feel much indebted to the Corporation for the estab- "lishment of that school. It is a great accommoda- "tion to that class of persons who object to boarding "schools, and it affords a great accommodation to "those who have not the means of sending members "of their families to boarding schools"?—Well, but it is confined to the children of Freemen of the City of London.

5491. Perfectly right; and you know it is not very difficult for a person to take up his freedom and get the advantage?

5492. (*Mr. Smith.*) It is to the interest of the City that persons should take up their freedom. Suppose there were no Freemen, what would become of the Corporation?

5493. (*Mr. Crawford.*) The words I used, Mr. Smith, were "pecuniary interest."

5494. (*Mr. Smith.*) Well, pecuniary interest?—The school is managed by a committee, consisting of the Lord Mayor and six Aldermen, and 29 Common Councilmen. Admission is confined to the children of Freemen of the City of London, irrespective of where they lived. It is a considerable charge upon the Corporation property. The Freemen's Orphan School is, of course, entitled, under the Act above referred to, to have the rents and profits of the lands formerly belonging to the London Workhouse, and to the fees and fines appropriated to it by the Act, but it has no legal claim to the further annual payments made by the Corporation for carrying it on.

5495. (*Mr. Crawford.*) You had better finish reading from your statement, Mr. Kemp, and then test it.

5496. (*Mr. Smith.*) Have we not rather excluded matter of this kind hitherto?

5497. (*Mr. Crawford.*) It was only the last two lines, Mr. Smith, which I thought were rather important.

5498. (*Chairman.*) We have cut out debatable matter.

5499. (*Mr. Crawford.*) One would like to have the opinion of Mr. Kemp that it might be "argued with "much plausibility that the Freemen of the City "were entitled to have the same provision made for "their orphans and widows as heretofore"?—I merely say that if the property of the Corporation were dealt with upon the same principles as the Act of 1835——

5500. I am not disagreeing with you in your statement?—Oh.

5501. (*Chairman.*) But we have refrained from examining Mr. Gomme upon any of these debatable questions. We are seeking for information upon facts rather than speculating.

5502. (*Lord Farrer.*) And the facts concerning this expenditure are given in the City case?—Yes, they are.

5503. (*Chairman.*) Do you know whether the proceeds of the lands held for the workhouse are kept apart—separate accounts for that endowment?—No; I do not know that.

5504. (*Mr. Crawford.*) I think you will find in the accounts that they are treated under the heading "Public and Trust Funds."

5505. (*Chairman.*) Go on with these Charitable Trusts?—The institution of the London Almshouses. The history of that, as far as I have been able to find it, is as follows: After the passing of the Reform Bill of 1832, it was thought by some in the City of London that it would be better to erect some substantial commemoration of the event than to have a mere illumination, and it was suggested that Reform Almshouses should be established. The public was appealed to, but did not respond liberally. The Corporation of London subscribed 1,500*l.* The projectors purchased ground and erected sixteen cottages or almshouses, with two sets of apartments in each, for the purpose of accommodating an equal number of widows and married couples. There were no funds to carry the matter further, and the Corporation was applied to to take over the concern. In 1847 the Corporation took over the almshouses and rebuilt them, adding eight more. 843*l.* 15*s.* was repaid to original subscribers, who would not consent to the transfer, and from henceforth the almshouses were employed for the reception of nominees of the different wards of the City. The almshouses are in Shepherd's Lane, Brixton. They are for the reception of both married couples and widows or spinsters. The men must have been freemen and householders within the City for seven years. The single women must be the widows or daughters of such freemen householders.

5506. Are single men ineligible?

5507. (*Mr. Crawford.*) No; married couples and widows and spinsters.

5508. (*Chairman.*) They do not cover single men; are they ineligible? Is a widower ineligible?—I have found no regulations as to single men. I presume they are not elected.

5509. (*Mr. Crawford.*) I remember just recently that one old man got leave of absence on purpose to marry, and he married a very young wife, who, I think, declined to enter the house afterwards. So that I think single men are eligible?—The right of nomination and election is in the Aldermen and Common Councilmen of each of the wards in rotation, and the persons elected are to be "persons of good "character and repute, whose circumstances have "been reduced not by idleness, extravagance, or "wilful default, but by those casualties which human "foresight or prudence cannot avert." No married men are admitted under the age of 60, no married women under the age of 45, and no single woman under the age of 55, other than the widow of an inmate dying there, who is permitted to remain in occupation of a single woman's apartment. The married couples receive 16*s.* a week and two tons of coals a year; the single women receive 12*s.* a week and two tons of coal a year. The management is by a Committee of the Corporation, and the number of inmates authorised is 20 married couples and 20 single inmates, a number which is as nearly as possible

maintained. There are no special funds applicable to the support of these almshouses.

5510. (*Mr. Smith.*) Do you happen to know how many the Committee of the Corporation consists of?

5511. (*Mr. Crawford.*) That is given in our statement?—It is given in the Blue Document.

5512. (*Mr. Crawford.*) Page 135, you will find it. Six Aldermen and 29 Commoners.

5513. (*Mr. Smith.*) And the Lord Mayor, I suppose.

5514. (*Mr. Crawford.*) I do not think the Lord Mayor is *ex officio* a member of that.

5515. (*Mr. Smith.*) It seems to me an enormous number of people to look after such a trifling thing as this.

5516. (*Mr. Crawford.*) But you forget, Mr. Smith, the same Committee look after the Freemen's Orphan School?—Yes, it is the Lord Mayor and six Aldermen——

5517. (*Mr. Smith.*) I noticed there were 36 to look after that, and if there were 36 more to look after the almshouses——

5518. (*Mr. Crawford.*) No; it is the same Committee to look after both.

5519. (*Lord Farrer.*) It is not stated in the case here, at page 135; it is only the Freemen's Orphan School Committee.

5520. (*Mr. Crawford.*) I think if you turn to page——

5521. (*Mr. Smith.*) If you tell me it is so, I accept it. I am only struck with the size of the Committees even for large business.

5522. (*Lord Farrer.*) No; there is no statement about the management here.

5523. (*Mr. Crawford.*) No; but it is, as matter of fact, Lord Farrer, the same Committee.

5524. (*Chairman.*) There are other almshouses which the City administer?—Yes, Rogers' Almshouses at Brixton. William Rogers left 600*l.* to the Corporation of London to build an almshouse in the City for six aged couples who should be freemen or freewomen of the City.

5525. You do not give the date of that bequest?—No, I do not know it.

5526. (*Lord Farrer.*) In the reign of James I.?—I should have noticed that. The almshouse was formerly in Hart Street, Cripplegate, but this was pulled down in 1856, and the present almshouses built upon land belonging to the City at Brixton. The allowance made to each couple is 41*l.* 12*s.*, and to each single inmate 31*l.* 4*s.* per annum, and is, for the most part, paid out of the City cash. Each inmate also receives two tons of coal a year.

5527. (*Chairman.*) Are those single inmates survivors of couples? There seems to be a different provision for couples?—I am not sure.

5528. (*Mr. Crawford.*) I am told that the single inmates are the survivors of couples?—The Gresham Almshouses have already been referred to. They arise under the provisions of the will of Sir Thomas Gresham, who directed that the Corporation should pay out of their moiety of the Royal Exchange 53*l.* 6*s.* 8*d.* to eight almsfolk whom they should appoint to inhabit his eight almshouses which he gave to the Corporation, that is to say, 6*l.* 13*s.* 4*d.* to each. The Corporation erected an almshouse in Whitecross Street, where the City Greenyard now is, but in 1883 new buildings were erected at Brixton. The inmates each receive 32*l.* 10*s.* per annum.

5529. (*Chairman.*) Sir Thomas left almshouses himself?—He left almshouses at the back of his dwelling-house.

5530. I suppose those were burned down at the time of the Fire?—The dwelling-house was not burned at the Fire; it remained, and was used by the City during the rebuilding of London.

5531. When did the City build in Whitecross Street?—The almshouses at the back of the Bishopsgate House I take it—I am not quite certain—were sold with the dwelling-house to the Excise office. I think they adjoined it.

5532. All those three sets of almshouses are in Brixton. Are they massed together there, do you know?—No, I do not know. It is property that belongs to the City of London there; but I do not know whether they are together.

5533. (*Mr. Smith.*) There is not a separate committee for this, I hope?

5534. (*Lord Farrer.*) No; it is the Gresham Estates Committee—in the City case.

5535. (*Mr. Crawford.*) The whole of the Gresham Trust, you know, is under the control of a joint committee composed of members of the Corporation and members of the Mercers' Company.

5536. (*Mr. Smith.*) Is it what they call the Joint Grand Gresham Committee?

5537. (*Mr. Crawford.*) Yes.

5538. (*Chairman.*) Are these almshouses contiguous?

5539. (*Mr. Crawford.*) Yes, all together; and it so happens that the Clerk who represents the Corporation on that Joint Grand Committee is also the Clerk that practically does the work of the Freemen's Orphan School Committee, so that when he goes down he attends to the inmates of all these several almshouses.

5540. (*Chairman.*) There are several other small charities that the City are trustees of in one way or another, the Wilson Loan Charity, for instance?—Yes. Under a scheme settled in 1868, the Lord Mayor, the two senior Aldermen, the Recorder, and the Chamberlain for the time being, are trustees of the charity, which was founded by Samuel Wilson, who by his will dated 27th of October 1766, bequeathed 20,000*l.* to the City Chamberlain for the purpose of making loans at a low rate of interest to young men who have been in business in the City of London, or within three miles thereof, between one and two years. Loans are made of from 100*l.* to 300*l.* to tradesmen under 30 years of age.

5541. (*Mr. Crawford.*) 40 it should be?—In the City of London or within five miles.

5542. (*Lord Farrer.*) Three miles?—It was three miles by the will, but it is five by the scheme, my Lord,—who have succeeded in and have carried on business for one and not more than three years.

5543. (*Chairman.*) Has the capital been well preserved, do you know? Was it in 1868 much the same as it was in 1766, after a century?—I do not know.

5544. (*Lord Farrer.*) It is 41,000*l.* now.

5545. (*Chairman.*) Then Ward's City of London School for Girls?—William Ward, of Brixton, left 20,000*l.* to the Corporation in 1882, to be expended upon building and maintaining a high school for girls. In an administration action the Corporation were ordered to submit a scheme for carrying out the testator's intentions, before the money should be paid over to them. The Corporation found that they had no suitable land, and therefore Ward's City of London School for Girls Act, 1885, was passed to enable them to acquire a site, and to apply Ward's bequest in providing a school for girls.

5546. (*Mr. Crawford.*) That is not quite so, Mr. Kemp; a difficulty was that the Bridge House Estates Committee had no power of sale or exchange, and to enable the Bridge House Estates Committee to exchange a site with the City that Act was passed; but the City has not availed itself of the Act. It has gone to the site on the Thames Embankment.

5547. (*Chairman.*) A site has been granted.

5548. (*Mr. Crawford.*) It is a gift of land on the Thames Embankment.

5549. (*Chairman.*) Are they building?

5550. (*Mr. Crawford.*) Oh, it is nearly built now.

5551. (*Chairman.*) And meanwhile the fund is dormant?

5552. (*Mr. Crawford.*) Is in the Court of Chancery?—Yes, the Act empowers the Corporation, as the Trustees of the Bridge House Estates, to sell or exchange lands for the site of the school; but I was under the impression that it had been carried out under the provisions of that Act.

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5553. (*Chairman.*) Will that be under the same management as the City of London School, the same Committee?

5554. (*Mr. Crawford.*) The Committee is not selected yet. The scheme which is mentioned here is being carried out by the same Committee who had the litigation—the Law and City Courts Committee.

5555. (*Lord Farrer.*) I see by the City case that it would probably cost the City something; that it would be an expense out of pocket.

5556. (*Mr Crawford.*) It will be?—That I do not know. Emanuel Hospital. The Lord Mayor and Aldermen of the City of London are the Governors of Emanuel Hospital, James Street, Westminster. The hospital was founded in 1594, by Lady Anne Dacre, who appointed her executors during their lives to be the Governors, and after their death the Lord Mayor and Aldermen of London. Its object is to provide a home for 20 men and women, and pensions for 10 men and women belonging to Westminster, Chelsea, or Hayes. Admission is by appointment of the Governors. The in-pensions are 25*l.* and the out-pensions 10*l.*

5557. (*Lord Farrer.*) That at the present moment is subject to a scheme.

5558. (*Chairman.*) Recently a scheme has been authorised to pull down these buildings and to remove the hospital?—I was not aware of it.

5559. (*Mr. Crawford.*) The site has been sold, and a scheme is now before the Chancery Division providing for out-pensions.

5560. (*Chairman.*) That same bequest of Lady Dacre's is the origin of the next—the United Westminster Schools?—Yes, of a part of the next. The Lord Mayor, the Recorder, and nine nominees of the Court of Aldermen, are Governors of these schools. Ten Governors are appointed by the members of the London School Board for Westminster—that should be the members for Westminster of the London School Board. The schools were formed under a scheme of the Endowed Schools Commissioners in 1873, and included with other charities in Westminster the school branch of Emanuel Hospital. The Mitchell (City of London) Charity. The Corporation appoint four out of the nine representative trustees of the charity, three being appointed by the London School Board, and two by the Governors of Christ's Hospital. There are also six coöptative trustees. The income is applicable under a scheme of 1883, as to one-third for the relief of the poor of the City of London, and as to the remaining two-thirds for the advancement, education, and benefit of the children of poor parents connected with the City of London.

5561. Is it a new scheme of an old foundation?—No, it is not.

5562. Was that the Mr. Mitchell who left his property to the Board of Works?—To the Board of Works, and there was a litigation about it. He left it to the First Commissioner of Works, or the Chairman of Her Majesty's Board of Works, and there was a doubt. The Metropolitan Board of Works thought he intended to leave it to them, and there was litigation about it in consequence.

5563. And it was settled by a scheme?—Yes. The Chairman of the Board of Works, I think, disclaimed all interest in it, and a scheme was settled by which the City have partial control over it.

5564. (*Mr. Crawford.*) I think the scheme provides in what way the relief of the poor is to be given. "By clause 7, all future coöptative trustees "were to be competent persons resident or carrying "on some profession, business, or occupation within "the City of London. Clauses 22 and 23 of the "scheme directed how the income of the Charity was "to be applied, namely, as to one-third thereof, for "the relief of the poor of the City of London, by "monetary assistance, grants to dispensaries, &c., "workmen's clubs, and pensions to deserving and "necessitous persons"?—"Morden College. Two "Aldermen of the City of London are trustees of this "Charity, which was founded by Sir John Morden "in 1695. By his will, dated the 15th of October "1702, and proved in 1708, he left most of his "property for the endowment of the college he had "erected near Blackheath. The charity is regulated "by a scheme settled in 1871. In-pensioners receive "100*l.* per annum, 6*l.* 10*s.* for washing, 2*l.* 2*s.* candle "money, 28 sacks of coal, firewood, and furniture to "the value of 25*l.* on admission if required. There "are also a number of out-pensioners who received "80*l.* per annum."

5565. (*Chairman.*) You are not quite up to the last information about the position of the Aldermen in relation to that charity, are you?—The will provided that the Governors should be members, I think, of the East India Company, and, failing them, of the Turkey Company.

5566. (*Mr. Crawford.*) The Turkey merchants?—Yes, the Turkey merchants, and, failing them, the Aldermen of the City of London, and, failing them, gentlemen of Kent. I forget whether there was any qualification with regard to them.

5567. (*Chairman.*) We need not go beyond the Aldermen of London. The Aldermen of London are available, the Turkey merchants being a decaying or an extinct body?—The Turkey merchants are decayed, the East India Company is extinct, and for the future the Governors will be all appointed from the Aldermen of the City of London.

5568. Presently it will be exclusively aldermen?—Exclusively aldermen.

5569. When the other trustees die out, they will be replaced by Aldermen of the City of London; so that they will be exclusively Aldermen of the City of London?—Yes. Sir John Soane's Museum. Under 3 & 4 William IV. c. 4, s. 16 (private) the Court of Aldermen appoint one of five additional trustees of this museum, the other four being appointed by the Royal Academy, the Royal Society, the Royal Society of Antiquaries, and the Society for the Encouragement of Arts, Manufactures, and Commerce in the Adelphi. Aske's Charity, Hoxton, is a charity which belongs to the Haberdashers' Company. It is a school. The Court of Aldermen and the Court of Common Council each appoint one of the managers. The foundation was in 1688. City of London Parochial Charities. The Common Council appoint four members of the governing body created by the central scheme of the Charity Commissioners, 1890. There is an income, I believe, arising from a number of other bequests for charitable purposes, which are administered by the Corporation, and they make annual contributions out of their own general funds for the support of the widows of freemen.

5570. (*Chairman.*) We then come to the Irish Society?—Yes, to the Irish Society.

5571. Which is at this moment the subject for litigation?—In Ireland, yes, sir.

5572. You had better briefly lead up to that?—The origin of the Society was in an agreement which was entered into with the City of London to grant to the Corporation lands in the province of Ulster, in order that "the Corporation of London, burning with flagrant "zeal to promote the pious intentions of the King, "should undertake some part of the task he set "himself, of stirring up and recalling the province "from superstition, rebellion, calamity, and poverty "which theretofore had horribly raged therein, to "religion, obedience, strength, and prosperity." By this agreement it was stipulated that 20,000*l.* should be advanced and expended on the undertaking.

5573. How was this agreement formulated; it could not be by law by deed between the Crown and the City; was it by charter with recitals; or how was it done?

5574. (*Mr. Crawford.*) You will find it at page 149 of the City case.

5575. (*Chairman.*) There was a charter to the Corporation giving—— ?—That comes a little later. I do not remember.

5576. (*Mr. Crawford.*) There was an agreement first executed?—There was an agreement.

5577. (*Chairman.*) There is rather a legal difficulty in an agreement between the Crown and even such an authority as the City?

5578. (*Mr. Crawford.*) Well, the articles of agreement were entered into between the Privy Council and the Corporation?—The Privy Council——

5579. The 28th January 1610?

5580. (*Chairman.*) The Privy Council, after a deputation had been sent out to inquire into the condition of Ulster.

5581. (*Mr. Crawford.*) Yes, that was so?—20,000*l.* was to be advanced and expended on the undertaking under this agreement. The City compulsorily levied this money upon the incorporated Companies of London, and the King afterwards granted a charter, dated the 29th of March 1613. By this charter the Irish Society was incorporated, the members thereof to be from time to time appointed by the City for the management of the colony, and the lands were thereby granted to the Society for ever.

5582. (*Chairman.*) How was that money levied; under what power?

5583. (*Mr. Crawford.*) It was by Act of Common Council.

5584. (*Lord Farrer.*) Did the Act of Common Council claim the power then to tax the Companies?

5585. (*Mr. Crawford.*) The Corporation by making Acts of Common Council claimed the right to make these levies upon the City Companies. The first of these acts is dated the 22nd of December 1609. That was the first levy of 5,000*l.*

5586. (*Chairman.*) That was in December 1609?

5587. (*Mr. Crawford.*) Yes, the first Act of the Common Council?—The 22nd of December 1609.

5588. (*Lord Farrer.*) The articles of agreement were signed on the 26th January 1610, and the money was levied afterwards.

5589. (*Chairman.*) I suppose 1609 means 1609–10 there?

5590. (*Mr. Crawford.*) I may explain that the dates were according to what is known as the old style; the year began on the 25th of March.

5591. (*Chairman.*) So that is 1609–10, according to our modern times. Go on, Mr. Kemp?—The Society divided the greater part of the lands granted between the Companies, more or less in proportion to the amount of the contributions which had been levied upon them; but the town lands, ferries, fisheries, and other property, which it was not easy or possible to set out in severalty to the different Companies, were retained by the Irish Society in their own hands.

5592. All the money had been raised from the Companies, you understand?—I think that the whole of the 20,000*l.* had been raised from the Companies.

5593. (*Lord Farrer.*) Eventually, it is stated in the City case, it exceeded 60,000*l.*

5594. (*Mr. Crawford.*) Yes, there were further levies under the same act of Common Council.

5595. (*Chairman.*) However it was, the whole fund was raised from the City Companies, with no contribution from the City's cash; is that what we are to understand?

5596. (*Mr. Crawford.*) To the best of my belief that is so, Mr. Chairman.

5597. (*Chairman.*) Go on?—"The Society afterwards became involved in disputes with the Crown, "and its charter was forfeited and its proceedings "annulled in the time of Charles I. The charter "was re-granted by Charles II. after the Restoration, "and under this charter the Society now exists. The "property of the Society has been administered since "the time of Charles II. by a committee of the Corporation of London, no member of which, except "the Governor, can continue to be a member for more "than two years consecutively. The original purpose "for which the Society was established, that of "colonising and civilising a large tract of country in "the North of Ireland, has long ago been fulfilled. "Its revenues are now used partly for the expenses "of management, and partly in grants for municipal "institutions and educational and other charities "connected with the district in which the estates "lie."

5598. (*Chairman.*) That does not exhaust the revenue, does it; do you mean that it does; is there any surplus after expenses are paid and grants made to municipal institutions?—The estates of the companies of course do give a considerable revenue beyond anything of that kind, but the City does not receive any income from the Irish Society.

5599. (*Mr. Crawford.*) Except as purchasers of two small portions, I think, of land held by one or two minor Companies?—Oh——

5600. (*Mr. Smith.*) May I ask, just as a matter of information, do the great estates of the Mercers' Company in Derry come under this?—I think they do. Most of the estates are in Derry.

5601. I was not sure whether that was a purchase of their own, or whether it passed under this incorporation?

5602. (*Chairman.*) There was a surplus revenue, I see, at one time over those charges up to 1837, and that revenue was distributed amongst the companies?—Oh, yes, before the decision in the Skinners' case. "At one time the Society was in the habit of dividing "its surplus revenues among the companies which "had originally contributed to its funds. This "practice, however, was discontinued about 1837."

5603. (*Lord Farrer.*) The City case makes the Skinners' Company action commence in 1832?—I have got about 1837.

5604. (*Mr. Crawford.*) That was when the first attempt was made, and the litigation lasted, I think, right up to 1838, or longer than that, because I think that was when the Master of the Rolls first gave his decision—1838—and that went to the House of Lords. According to the judgment, it states distinctly they had been in the habit, speaking of the Society, of paying all surplus funds in "round" sums, I think were stated; however, they had been paying over the surplus funds to the different companies in proportion to their original contributions, so that there must have been surplus funds according to that.

5605. (*Chairman.*) The City does not expressly say that an action was commenced or a suit instituted in 1832?

5606. (*Mr. Crawford.*) An attempt was made and a Chancery suit was commenced?—It is 12 *Clarke and Finnelly.*

5607. (*Chairman.*) However, the Master of the Rolls' judgment was in 1838. The House of Lords case would be after that?—It was after that. "It "was held by the House of Lords, affirming the "decision of Lord Langdale, that the Society was "constituted trustee for permanent public purposes, "independent of the Companies, and had a discretion "in applying the funds arising from the property "retained by it, to these purposes; that though it "was accountable to the Crown for any neglect of its "duty as trustee and also to the City of London for "misconduct in the management of the property, it "was not accountable to the Companies. The argu"ments and judgments in this case show that the "Corporation of London have never claimed any "beneficial interest in the revenue of the Society."

5608. Is that practically free from dispute? What did they do after they ceased to distribute the surplus?—I am afraid I do not know what they did.

5609. (*Mr. Crawford.*) The Irish Society is governed distinct from the Corporation; the Corporation only exercise a visitorial jurisdiction over it; it is a corporation by itself, and has its own officers quite distinct from the Corporation of London.

5610. (*Mr. Smith.*) Perhaps you can tell us whether you do claim any beneficial interest?

5611. (*Mr. Crawford.*) The Corporation of London?

5612. (*Mr. Smith.*) Yes.

5613. (*Mr. Crawford.*) Except in the way I have stated?

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5614. (*Mr. Smith.*) As visitors.

5615. (*Mr. Crawford.*) We stepped into the shoes of one or two small Companies. We bought up their interests. I think the Butchers' was one.

5616. (*Mr. Smith.*) But *quâ* Corporation not?

5617. (*Mr. Crawford.*) No.

5618. (*Mr. Smith.*) Only as representing those small Companies.

5619. (*Lord Farrer.*) I see it is stated in the City case that the City exercise a species of visitorial power over the Society?

5620. (*Mr. Crawford.*) That is so.

5621. (*Lord Farrer.*) Do they make themselves practically responsible?

5622. (*Mr. Crawford.*) They have the right to call for an account, and also to investigate any case of complaint against the Governors in their management of the Society.

5623. (*Chairman.*) And they appoint members of the Society from time to time?

5624. (*Mr. Crawford.*) Certainly; the Governor must be an Alderman, and they appoint the DeputyGovernor.

5625. (*Chairman.*) Perhaps it is too delicate a question to ask. What is the view of the Society or the Corporation as to the balance which at one time was distributed among the Companies. Are they bound to expend it all on the management of the estates or grants to municipalities, or have they discretion as to the balance to hand it over to the City? —I do not think there is any obligation to pay it over to the City.

5626. I did not say obligation; have they discretion? —I do not think now that it can be said that they have. I do not know what view they may have taken of it, but the judgment in the Skinners' Company case seems to define the position of the Irish Society as a trustee for permanent public purposes, independent of the company, but it had a discretion in applying the funds arising from the property retained by it to its own purposes. I think that is meant to be within the trust.

5627. That is the exact point which is to be decided by this suit in the Irish Court of Chancery?—It is. I refer to that a little later.

5628. (*Lord Farrer.*) Do you know if the amount is large; the property is considerable?—The property of the Companies is large.

5629. It is?—Oh, yes.

5630. (*Chairman.*) But the property of the Society? —The property of the Society, I do not think it is large, but I do not know. It was these rights of a nature that are not easily divisible that were transferred to it, and I do not know. I said that was the point to be decided in the litigation, but I think I was not quite accurate in saying that. The point was the question whether the City Companies, with regard to their property, are in the same position as the Irish Society was held in the Skinners' case to be. I think that is it.

5631. No; the question in litigation in the Skinners' case was between the Irish Society and the Skinners'. It decided nothing as to the duties of the Irish Society to British inhabitants. If observations were made on that subject they were quite beyond the necessary purposes of the case?—Of course, the question in dispute was as to the rights of the Companies against the Society, but does it not come almost necessarily within the scope of deciding that case, that you must decide almost positively what is the position of the Irish Society?

5632. Only as regards this company, the Master of the Rolls and the Lords might have said specifically, we are not bound to say what the company is under an obligation to do with this money; what we are required to say is that it owes no obligation to the companies in respect of it.

5633. (*Mr. Crawford.*) That was distinctly the judgment. The Society was not in any way amenable to the Companies.

5634. (*Chairman.*) That was the judgment. Of course, observations were made which may be construed as going beyond that, but they were unnecessary observations for the purposes of the judgment? —Yes.

5635. (*Mr. Smith.*) The litigation in the Irish courts seems to be rather of a different character; that has reference to the purchasing tenants. However, we will not anticipate that?—There were recommendations made by the Commissioners of 1854 to the effect that the Irish Society should be dissolved, and its charter repealed by Act of Parliament, and its property vested in a new set of trustees, whose number and character should be defined by the Act. It was further recommended "that the trustees be appointed " by the Lord Chancellor of Ireland, and that he " have power to fill up vacancies as they occur from " time to time. A general scheme for the guidance " of the trustees in the management of the property " ought to be laid down in the Act, but as it may be " difficult to define once for all every portion of a " scheme of this kind, and as it may be desirable as " circumstances require to alter the provisions of the " scheme to meet them, power should be given to the " Lord Chancellor of Ireland to modify or vary the " provisions of the scheme within certain limits."

5636. (*Chairman.*) Nothing has been done upon that report?—Nothing more was done. "In 1890 a " Select Committee of the House of Commons was " appointed to inquire as to the terms of the charters " or other instruments by which their estates in Ire- " land were granted to the Irish Society and to the " London Companies, and as to the trusts and obliga- " tions, if any, attaching to the ownership of such " estates, and as to the mode in which the sale of " their estates has been effected, or can be effected " consistently with such trusts and obligations as may " be shewn to have existed or now exist. The Com- " mittee took evidence and heard counsel, but they " were unable to conclude their investigation, and " agreed to report the evidence already taken, and " to recommend that a Committee on the same " subject should be appointed in the next session of " Parliament. The Committee was re-appointed in " January 1891, and reported on the 4th of May in " that year. They recommended that the Irish " Society should be dissolved, and its charter re- " pealed by Act of Parliament, and that its property " should vest some of it in the Corporations of Derry " and Coleraine, and the rest in the elective county " authority, which the Committee understood that " Parliament was shortly about to create. With " regard to the sale of their Irish estates by the com- " panies, they say: 'Your Committee are of opinion " ' that a *primâ facie* case exists for the proposition, " ' that inasmuch as the Courts have declared that " ' public purposes are permanently attached to the " ' lands preserved by the Irish Society'":—the Committee thus taking that view of the judgment in the Skinners' case—" permanent public objects still " follow the lands conveyed by the Irish Society to " the companies, and the proceeds of the sale of such " lands. In a matter of such gravity your Committee " consider that the intervention of the Attorney " General is required. Meanwhile, the conclusions " established by the Royal Commission on the Com- " panies, presided over by Lord Derby (1882–84), in " respect of the endowments of the City Companies, " generally appear to be entirely applicable to the " portion of those endowments existing in Ireland. " It would be unjust to exclude the Irish tenants of " the companies from the benefits of the policy of " land purchase, but it is indefensible to allow the " vendors, by means of the Purchase Acts, to divest " themselves of all the great local responsibilities par- " ticularly attached to their Irish estates. Your " Committee consider that the proceeds of the sales " constitute a fund, the benefits of which should, in " conformity with the principles of the Commission of " 1882–84, accrue wholly for the purposes and objects " described by Lord Langdale as territorial, that is to

"say, local and Irish." What was that, 1882-84?—That is the date of the Commission on the Livery Companies.

5637. (*Mr. Crawford.*) And their recommendations have never been acted upon?—Not yet.

5638. They have never been acted upon?—No.

5639. (*Chairman.*) This was rather a narrow decision of that Committee. You do not go behind the decision to find by what force it was recommended—the Select Committee.

5640. (*Mr. Crawford.*) It was a very small majority, I think you will find. We might, Mr. Kemp, have on the notes the fact that the Committee in 1889 reported to Parliament that from the evidence of the witnesses examined there was no complaint as to the manner in which the Irish Society performed its duties?—I have not got it here, if you are reading that.

5641. I read it from the Committee's report. You referred to the Committee of 1889; it is just as well to have it on the notes?—I have no doubt.

5642. (*Lord Farrer.*) You say it appeared there was no complaint as to the manner in which the Irish Society performed its duties and the City Companies. It was admitted that till recently they had acted very liberally?—I do not see any signature to that, perhaps it is not put in the case of a Committee.

5643. (*Chairman.*) It would be in the report of their proceedings.

5644. (*Mr. Smith.*) Do you remember, Mr. Crawford, perhaps you can tell me, how it was that the recommendations of the Commissioners of 1854 were not carried not. You were good enough to give us a paper from the City showing why those recommendations were not carried out; perhaps there may be some reason.

5645. (*Mr. Crawford.*) Yes, perhaps I can tell you.

5646. (*Mr. Smith.*) It would appear from that that it really has very little to do with the City of London.

5647. (*Lord Farrer.*) The Irish Society, their estates?

5648. (*Mr. Smith.*) We may just as well know why they did not adopt that suggestion.

5649. (*Mr. Crawford.*) The suggestion was "that "the Irish Society should be dissolved, and its "charter repealed by Act of Parliament, and that its "property be vested in a new set of trustees, whose "numbers and character should be defined in the "Act. We recommend further that the trustees be "appointed by the Lord Chancellor of Ireland," and the observation of the City upon that is "this recommendation has not been carried into effect. The "Corporation still appoints the Irish Society, and has "always exercised a species of visitorial or superintending power over the conduct and proceedings of "the Society."

5650. (*Mr. Smith.*) But they give no reason for not adopting that suggestion.

5651. (*Mr. Crawford.*) Well, I assume the reason would be that they thought it unnecessary; there is no complaint against the Irish Society. The object of this litigation is not in connexion with any complaint against the Society.

5652. (*Mr. Smith.*) Oh, no, I quite follow that, only it occurs to me as a practical man that you have got quite enough to do, you say, to manage the City. I say to manage London, and it is a pity to be hampered with things that the Commissioners say should be taken from you.

5653. (*Mr. Crawford.*) You see there is no resolution passed by the Select Committee of the House that the constitution of the Irish Society should be changed; the object of the litigation, as I understand, is more particularly in connexion with the City Companies.

5654. (*Mr. Smith.*) Oh, I daresay.

5655. (*Mr. Crawford.*) And I think the complaint was that some of the Companies were disposing of their estates.

5656. (*Mr. Smith.*) The Commission of 1854 recommended that it should be dissolved, and from what I see I should be inclined to agree with them?—The Committee of 1891 especially agreed with the recommendation of the Commissioners of 1854.

5657. (*Mr. Crawford.*) Yes, but Parliament has not acted upon it?—No, it has not.

5658. (*Chairman.*) That is the situation; there were 13 members, two were absent, six voted for, four against, and the chairman declined, the two absent belonging to the same parties as the minority—six to six. Then as to the Commissioners of Sewers. We had the chairman of that body before us, who has given us rather large information. Have you seen his evidence?—I have.

5659. Is there anything you wish to supplement or that you think your evidence supplies?—I deal in this part also with the relation of the Commissioners of Sewers to the Metropolis.

5660. Apart from the City, the Metropolis?—Yes, that is so. With regard to the central authority that is exercised over the whole Metropolis by the London County Council, I go to that upon page 56, but there is, of course, on pages 53 and 54 introductory matter, partly historical and partly, I am afraid, controversial.

5661. (*Mr. Crawford.*) Has not a great deal of what you give us on page 57 already been given in evidence by Mr. Rotton? He explained to the Commissioners the position of the Commissioners of Sewers, and also the position of the Vestries and District Vestries and District Boards which discharged similar duties, and also pointed out what were the powers and duties in respect of similar matters, and the London County Council.

5662. (*Mr. Smith.*) Is there not another reason for taking in this very generally, that we are in a position to get this information primarily from the Commissioners? We are not at present in that happy position with regard to the Corporation of the City of London, therefore we have taken Mr. Kemp rather fully into matters which are really not within his purview in regard to the City, but in regard to the Commissioners of Sewers, we are in a position to get primary evidence on all points, I think.

5663. (*Mr. Crawford.*) I am going to suggest that if Mr. Kemp can point out any matter which has been either incorrectly stated on the part of the witnesses called by the Commissioners of Sewers, or any omission that might be useful; but it looked to me like travelling over the ground again?—I am not at present aware of any inaccuracy in their book, but of course their position and powers might be looked at from different points of view.

5664. (*Chairman.*) I think where we can get evidence at first hand we ought to get it at first hand, therefore most of this we have either got already or can get by an examination of the Chairman of the Commissioners of Sewers. The part which I thought we might possibly have entered upon is the really introductory part, showing the relation of the City to the supply of water, showing what the City never has undertaken to do.

5665. (*Mr. Smith.*) I think it very interesting to get its early history, and perhaps the Commissioners of Sewers would not object to that; it is rather of antiquarian interest; but when it came down to practical work at the present time it would be only courteous to ask the Commissioners of Sewers, who have come here and given us evidence, to ask them rather than other people?—This summary of their powers is their own, I may say.

5666. Yes, we have probably got it, but I think the introductory part we might fairly have from you, looking at it in the antiquarian light upon which you have given us so much information.

5667. (*Lord Farrer.*) That is continued on page 56, showing how municipal functions have grown up; that is interesting, I think.

5668. (*Mr. Smith.*) Quite so; but the really practical work we have had from the Chairman and the other officers whom he brought with him.

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5669. (*Lord Farrer.*) Yes, I think so.

5670. (*Chairman.*) Well, then, I think we may go on with page 53. Your view of the ancient municipal functions of the Corporation may be stated?—Yes. I think in ancient times that the municipal functions of the Corporation were confined principally to fostering the trade of the City and safeguarding and regulating the mercantile interests and the social relations of the citizens. "The Corporation had power to "prevent nuisances, as nuisances were then con- "ceived, and was regarded under some obligation to "provide for the common wants of the citizens; for "example, to provide them with a free supply of "water, and all the citizens were bound to contribute "according to their ability to the cost of the govern- "ment of the City; but a glance at the history of "the law of public health will show that municipal "corporations throughout England took a very narrow "view of the nature and extent of their duties and "obligations with regard to those matters which "are now looked upon as among the principal concerns "of municipal government."

5671. Proceed on to what the Corporation early allowed?—"The Corporation allowed the right and "the profit of supplying the City with water to drift "into the hands of private adventures, with a "financial result that is only now being fully "realised. For centuries all the water required for "domestic purposes in London was supplied by "water carriers, who brought it from the Thames, "the Fleet, Wallbrook, and other places." There were in addition certain wells sunk in the gardens of religious houses such as Bridewell, Holywell, Clerkenwell, Clementswell, and others. In 1236 water was first brought into London in leaden pipes from the village of Tyburn, and afterwards from Hampstead, Paddington, Marylebone, Islington, Hoxton, Hackney, and other places.

5672. Who did that, let us understand that?—That, I think, was done by the Corporation. If I am wrong I will take an opportunity of correcting it, but I think that even at this period that the earliest supply was in the hands of the Corporation—"By 35 Henry VIII., c. x, the Corporation "was empowered to enter into the grounds as well "of the King as of every other person where they "should find any springs, and there dig pits and "ditches, erect heads, lay pipes, make vaults, and "do all other things necessary for the conveyance of "water to the City. The supply thus contained was "distributed to the public by means of leaden "conduits or cisterns raised in the middle of the "principal streets. The largest stood in Westcheap, "and was erected in 1285."

5673. How do you mean by that date?—How did I arrive at it?

5674. I mean you follow 35 Henry VIII. with that date, that must refer back to the previous action?—Yes, the 35 Henry VIII. is an extension of powers that they had long exercised.

5675. The supply thus obtained does not mean the supply obtained under the Charter of Henry VIII., but after that had been done before.

5676. (*Mr. Smith.*) It sounds like the origin of the Parish Councils Bill, "Utilise any supply of "water"?—"Other conduits were erected in Alder- "manbury, Fleet Street, Glass Street, Holborn, "Bishopsgate, London Wall, Aldersgate Without, "Lothbury, Coleman Street, and Dowgate. The "estates which the Corporation possess in the neigh- "bourhood of Bond Street and Conduit Street were "originally acquired in connexion with their attempts "to supply the City with water. The supply thus "obtained was, however, inadequate, and the next "step taken was the erection of the London Bridge "waterworks. These works were erected in pur- "suance of the scheme devised by Peter Morrys, a "Dutch engineer, for supplying the City with "Thames water by a mill worked by the ebb and "flow of the tide at London Bridge."

5677. (*Chairman.*) What date is that?—The company was formed in 1703.

5678. (*Mr. Crawford.*) Yes, but this was in 1581?—One moment.

5679. The time of Elizabeth?—1582 is the date of its erection.

5680. (*Chairman.*) There was no suggestion before that of private action for private gain?—I think the only attempts to bring water into London before that were by the Corporation.

5681. That statement that the Corporation early allowed the right and profit of supplying the City with water to drift into private hands does not go further back than 1582?—I did not intend it to go so far back as that; I mean the New River Company.

5682. (*Mr. Crawford.*) And even in 1582 the Corporation were assisting Morrys by financial grants?—That is the meaning of my last answer; I mean the New River Company.

5683. (*Chairman.*) Yes?—"The company was "formed called the London Bridge Waterworks "Company in 1703, and continued in existence to "the year 1822, when the works were destroyed, and "the powers of the proprietors transferred to the "New River Company by 3 George IV. c. cix.; from "the time of its erection in 1582, it was obvious that "the London Bridge Waterworks would be in- "sufficient to supply the City, and an attempt to "meet the difficulty was made about a quarter of a "century later in 1606. By an Act passed in that "year the Corporation of the City were empowered "to take water for the supply of the citizens from "the neighbourhood of Ware (4 Jac. 1 c. 12), but "after an ineffectual attempt, the Corporation "abandoned their rights to Sir Hugh Myddleton in "1609. The work proved more difficult than had "been expected, but Myddleton embarked his whole "fortune in the enterprise and received scarcely any "return for it during his life. The City declined to "give him any pecuniary assistance, but the King "came to his aid and gave him both money and "patronage upon the condition that he should receive "in return a half interest in the concern. The work "was completed in 1613, and the New River Company "was incorporated in 1619 by Letters Patent of "17 James I. The supply of water thus provided "was greater and better than anything which had "preceded it; for 100 years it was the only satisfac- "tory water supply of London. The other London "water companies were established at later dates; "but it is beyond the scope of this Memorandum to "refer to their history. It is enough to say that the "Corporation of London has never since had any- "thing to do with the supply of water to the City, "with this exception, that the Commissioners of "Sewers have one artesian well only completed last "year.* The Corporation is the authority for the "City of London under the Metropolis Water Act, "1871."

5684. (*Mr. Crawford.*) When you say "Has never "since had anything to do with the supply of water "to the City," you do not mean by that that the Corporation has not endeavoured to assist the citizens of the whole metropolis to have a better water supply?—You mean introduced Bills with reference to the Water Companies.

5685. Yes and held inquiries and spent money?—Oh, yes, the meaning of the sentence is perhaps a little ambiguous. I only meant that they never really had anything to do with the water supply themselves.

5686. (*Mr. Smith.*) They have never been undertakers?—No.

5687. (*Mr. Crawford.*) And you do not mean that the City in common with the Metropolitan Board of Works and the London County Council, have not endeavoured from time to time to procure good terms for the consumers of London?—No.

* *See also* Kemp, 5904–10.

5688. (*Lord Farrer.*) You do not mean to enter upon that at all?—No I was not alluding to anything but the direct supply of water.

5689. (*Chairman.*) Lighting in the same way was at one time feebly attempted by the Corporation?—Lighting at one time with oil lamps. I think they were one of the properties of the City that were given to the Orphans' Fund; but that was also lost and after the invention of gas the Gas Companies were incorporated.

5690. Did the Corporation light the City by its own undertakings with oil lamps up to the invention of gas?—At one time they did. I think up to the invention of gas, but I am not quite sure of the period over which their work extended. They had a lamp; it was a special invention which they used to sell, and there were profits arising from it that were devoted to the Orphans' fund. I remember that in the Act of William and Mary.

5691. (*Mr. Smith.*) You seem to say that they had that power and exercised it up to 1810, apparently—up to the establishment of the Gas Light and Coke Company?—Then I think that is probably correct, although I do not remember at this moment.

5692. (*Lord Farrer.*) There was a period, was there not, when all over England enterprises of this kind—special enterprises requiring skill and capital—and new inventions fell very much into the hands of companies, and out of the hands of municipal authorities, and that not only in London but elsewhere throughout England?—I think so.

5693. And the early supply of gas to the towns of England was by companies?—Yes.

5694. (*Chairman.*) In fact it was a risky business, being an unknown process?—Yes. I have, perhaps, put it rather in a form as if it were a reproach to them.

5695. (*Mr. Smith.*) I think we must admit that the municipalisation of gas and water is an affair mainly of the last 25 years?—Yes.

5696. There were one or two exceptions that I know?

5697. (*Chairman.*) Well, then, you tell us that the Commission of Sewers were known and issued under the authority of the Crown for the purpose of draining the country in different parts and maintaining sea walls?—In those days, of course, really more for the control of surface water, not so much with the reference that they now have to sewerage.

5698. Making not sanitary drains, but drying drains to dry a country, and protecting it by sea walls?—Yes.

5699. Then after the great Fire a Commission of Sewers was established in the City?—Yes, the powers are conferred by the Act upon the Common Council of the City to be executed,—I think the words are "By persons to be appointed by them," and that is the origin of the City Commissioners of Sewers.

5700. Well, we have had that evidence before, and we need not go into it. You might proceed to page 56 and give us some information as to what was going on outside the City?—"The large districts which "had grown up outside the City had no general "municipal organisation, and were, for the most "part, quite independent of each other. The sewer-"age of the larger portion of those districts was "under the control of Commissioners appointed "under 23 Henry VIII. c. 5, the Commissions "being seven in number, namely, for Westminster "and part of Middlesex, the Tower Hamlets, St. "Catherine's, Poplar and Blackwall, Holborn and "Finsbury, Surrey and Kent, and Greenwich. They "were all subject to the general Statutes of Sewers, "and several of them had obtained special Acts "extending their powers."

5701. And those extended all along the River apparently, and back from Chelsea down to Blackwall?—Yes, there was also the Regent Street Commission.

5702. That was much later?—Yes, that was 5 Geo. IV. "With respect to the paving of this "district outside the City, and the suppression of "nuisances, the Metropolitan General Paving Act, "commonly known as Michael Angelo Taylor's Act, "was passed in 1817. This Act consolidated and "reduced into a sort of system many of the pro-"visions as to paving and the regulation and improve-"ment of streets, and the prevention of nuisances "which were contained in the special Acts of par-"ticular parishes. The operation of the Act was "limited to the streets and public places then paved, "or which might thereafter be paved, within the "Cities of London and Westminster and Borough of "Southwark, and the other parishes included within "the weekly Bills of Mortality, and within the "parishes of St. Pancras and Marylebone with "certain specified exceptions."

5703. The City of Westminster covers a very considerable extent of ground?—Yes.

5704. (*Lord Farrer.*) Weekly Bills of Mortality, do you know what the limits of those were?—They varied at different times, I think. I have a map here that would show what they were about that time (*map produced*). This is a map which shows the variation in the size of the district within the Bills of Mortality between 1506 and 1847.

5705. (*Mr. Crawford.*) Is that in Loftie's work?—It is in Loftie's work.

5706. (*Lord Farrer.*) This is Loftie?—Yes.

5707. (*Mr. Smith.*) The last extension is pretty well coterminous with the County Council district, is it not?—It is exactly the same, I think, with this exception, that it includes Mottingham, and excludes Penge.

5708. Yes, I notice the Penge question.

5709. (*Lord Farrer.*) Mottingham, where is that?—It is east of Penge, further along.

5710. Towards Beckenham?—Yes; but of course the Registrar-General gives statistics as to the larger district, which is co-extensive with the district of the Metropolitan Police.

5711. (*Mr. Smith.*) But before the establishment of the Metropolitan Board of Works the only way of speaking of London was London defined within the Bills of Mortality?—Yes. "The powers of im-"proving and regulating streets and for the sup-"pression of nuisances contained in this Act were "extended to the whole Metropolis by the Metro-"polis Local Management Act, 1862, but those pro-"visions of the Act which deal with the suppression "of nuisances were repealed by the Public Health "(London) Act 1891. In 1843 the Poor Law Commis-"sioners drew attention to the defective state of the "sewerage and drainage of the Metropolis and the "inadequacy of the existing law on the subject. "The Commissioners for inquiring into the means of "improving the health of the Metropolis, reporting in "1847, recommended that the administration of the "laws of sewers in the separate districts should be "confined to one body of Commissioners for the "whole Metropolis, and suggested a general survey "of the metropolitan district. In September 1848 "the Metropolitan Sewers Act, 1848, was passed. "By this Act the Queen was authorised to issue one "Commission for the whole of the parts comprised "in the then existing separate Commissions, and to "include within it the districts subject to the Regent "Street Commissioners acting under 5 Geo. IV. c. c., "and any other parts, not more than 12 miles distant "from St. Paul's Cathedral, which might be named. "All local Acts relating to the former Commis-"sioners were repealed. The persons to be named "in the Commission, together with the Lord Mayor, "and four others to be appointed by the Common "Council, were constituted the Metropolitan Com-"missioners of Sewers, and were empowered to "require the Commissioners of Sewers for the City "of London to execute works within the City "limits."

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5712. (*Mr. Crawford.*) Were their powers limited to that, or was it their own business which affected that?—No, I think it was expressly so. I am sure it was. I looked at the Act this morning.

5713. (*Chairman.*) I think we might proceed to 1853 and 1854?—"The Commissioners appointed in 1853 to "inquire into the state of the Corporation of the City "of London recommended the creation of the Metro- "politan Board of Works, to be composed of a "limited number of members deputed to it from the "Council of each of the Metropolitan Municipal "bodies which they advised should be constituted, "including the Corporation of the City, and that to "this Board there should be confided the manage- "ment of all public works in which the Metropolis "had a common interest; and, further, that the "Board be empowered to levy a rate, limited to a "fixed poundage, for public works of general metro- "politan utility over the metropolitan district. In "1855 Sir Benjamin Hall, the President of the "Board of Health, introduced a Bill for the better "local management of the Metropolis, which carried "out many of the views expressed in the report of "the Commissioners of 1854, and also embodied other "provisions for the local management of the Metro- "polis. The Bill was passed in the same session, and "became law as the 'Metropolis Local Management "'Act, 1855," and under this Act and the Acts amend- "ing it, the local government of the Metropolis was "carried on down to the year 1888."

5714. (*Mr. Crawford.*) The Commissioners of 1854 also recommended that the rest of the Metropolis should be divided into districts for municipal purposes, did they not?—Yes, I have referred to that here. Representations from the metropolitan municipal bodies which they recommended should be established.

5715. I did not notice those words?—I think I read those words.

5716. (*Chairman.*) You proceed to give an account of the constitution of that Board and of its work?—First of the central powers that it had over the whole—its powers over the whole, and its powers which were limited to the vestries and district boards outside the City.

5717. Then you proceed to give the work which was thrown on it from time to time?—By various statutes.

5718. Until it was absorbed by the County Council?—And throughout the manner in which Parliament dealt differently with the vestries and district boards, and with the Commissioners of Sewers in the City. And coming down to the time of the London County Council, I follow the same course with regard to Acts which have been passed since they came into existence.

5719. (*Mr. Crawford.*) I think that is evidence which was given also by Mr. Dickinson, was it not? I do not think it has been given in this form by any one.

5720. It may not have been given in this form, but I fancy we had this information from Mr. Rotton, and also from Mr. Dickinson.

5721. Starting from page 65 that is a repetition of the third statement, is it not?—It is the same thing; it was originally part of this; it has been revised since then. There were several corrections.

The witness withdrew.

Adjourned till Thursday next, at 11 a.m.

FOURTEENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 14th December 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary

Mr. JOHN KEMP, Secretary to the Special Committee of the London County Council, recalled and further examined.

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5898. (*Chairman.*) Have you any observations to make with reference to the evidence you gave last time, or any part of it?—I should like to mention certain inaccuracies that arose, which I suppose I shall be at liberty to correct in this memorandum. On page 8, I should like to correct an inaccurate statement about the Ward of Bridge Without*; on page 15 to delete the statement that the Lord Mayor is Chairman of every committee that he attends †; page 23, there were certain words omitted in quoting a section of the County Courts Act of 1888‡; page 8, by virtue of various acts and byelaws of the City the senior alderman who has passed the Chair may remove to the Ward of Bridge Without; if he declines, the next in seniority has the option, and, if all who have passed the Chair decline, the Common Council may appoint any freeman.*

5899. (*Mr. Crawford.*) That is the way you wish to put it?—Yes, the way I wish to correct it. Then on page 15 I wish merely to delete the words at the bottom of the page, "He is chairman of every committee which he attends."* On page 23 certain words were omitted in quoting a section of the County Courts Act of 1888 in the paragraph upon the City of London Court, the words were, about seven lines from the bottom of it, "powers, rights, or privileges of the Judge of City Court."†

5900. Those words were left out before?—Were left out before. On page 24,‡ about the jurisdiction of the City Chamberlain, I was asked whether that jurisdiction was concurrent with the jurisdiction of the police courts. I do not think I gave a very intelligible answer. The fact is, I did not know of the statutory jurisdiction with regard to settling disputes between masters and apprentices that the justices and police magistrates have. The powers of the City

* *See* Kemp, 4523–33; 4621–3.

* *See* Kemp, 4611–20.
† *See* Kemp, 4802–7.
‡ *See* Kemp, 4829.

Chamberlain appear to go further, to be more extensive than those of the police courts, but so far as they exist they are, I think, concurrent and not exclusive. On page 25,* about the police, I have said that they are prevented from voting; that was removed by the Police Disabilities Removal Act of 1887.

5901. I called your attention to that at the time?—Yes, to most of these, I think. On page 30† I should like to make a small alteration about Billingsgate Market, because I did not know of the improvement in the Approaches which have been made quite recently. On page 31,‡ I have looked again at the Act of 1845, and I am satisfied that I made a mistake and that the rents and profits are not devoted to the Improvement Fund, but still belong to the Coal Market.

5902. The property of the Corporation?—The property of the Corporation devoted to the repairs.——

5903. Of the Coal Exchange?—Of the Coal Exchange, yes. Then on page 35 § I have made a mistake about the management of the Bridge House Estates, I said they were managed by the Bridge Masters; I wish to correct that and say it is by the Bridge House Estates Committee of the Common Council. On pages 38 and 45 there are two small corrections that are purely verbal.

5904. What are the verbal alterations on page 38?||—I was asked by Lord Farrer to insert a reference to the Parliamentary paper on Gresham College, and on page 45,¶ I think it was suggested by the Chairman—in any case I think I have gone too far in line 5 in saying that the London workhouse turned out a "useless institution." I would like to delete those words. On page 54 is perhaps the most important correction. I have not yet made it; it did not arise at the time. I stated near the end of the first paragraph on page 54** that "It is enough to say that the Corporation "of London has never since had anything to do with "the supply of water to the City," and so on. I think that is not accurate, although, of course, what the Corporation have had to do with the supply has been very small.

5905. It is a little too strong?—Well, the City aqueducts were not discontinued on the creation of the New River Company, the profits of them were given to the Orphans' Fund by 5 & 6 William & Mary, chapter 10. That was in 1694, and the Paddington spring was sold to the Bishop of London; the springs at Hampstead and Marylebone were leased to private persons, so that they ceased to be a source of supply to the City. But there was a certain supply from surface wells, with public pumps connected with them, and four of these were in existence as recently as 1875.

5906. But the Hampstead Ponds were leased to the New River Company, were they not, Mr. Kemp?—I have not found out who they were leased to. I have only said here that they were leased.

5907. Were they leased to the New River Company?—I have not found out that; there were four of these pumps in existence in 1875, but the water became contaminated, and they were discontinued after that.

5908. (*Chairman.*) Were those pumps maintained by the City or by the parishes within the City?—By the Corporation.

5909. (*Mr. Smith.*) They have now been closed by the sanitary authorities?—There is a report of the City medical officer of health, which I have not seen reporting that the water was not fit for use.

5910. They may be treated as non-existent?—I think so. Then there is one matter about which, if I may, I should like to amplify the answer that I gave to a question; it is upon the subject of market overt.†† I was asked, I think, by Mr. Smith, if I knew any practical disadvantage arising from the existence of that custom.

5911. (*Mr. Smith.*) Practical advantage I put it, I think? I thought so. But it appeared in the proof as disadvantage.

5912. I meant to ask whether there was any practical advantage in the continuance of the custom?—Well, I thought it might be useful if I stated very shortly what seemed to be the principles which lie at the bottom of the custom, so that it might appear whether they still are applicable to the continuance or existence of it in the City of London. It is on page 14, I think, of Thursday, the 12th day.

5913. (*Mr. Crawford.*) 4695 I think; is it where you refer to Mr. Attenborough and Messrs. Spink?—Yes.

5914. (*Mr. Smith.*) It is just at the bottom of one of these pages, it is 4547. I asked the question, "Do you know any practical difficulty from the "custom existing inside the Griffin, and not existing "outside." I think that is the point, is it not. You say that you have heard that that is the reason why there is a pawnbroker's shop at the corner of Chancery Lane. That is quite so? It seems to me that there are two principles which are the basis or origin of this custom. One is the convenience of merchants. In the olden days, if a man went into a town where he was not known, and there was no one to answer for him, he could not have sold his goods at all, or only at a very great loss, because no one could tell that he was not a thief. So it was for the convenience both of the purchaser and of the seller that some mode of sale should be devised that would confer a good title upon the purchaser. When you look at the kind of sale that was devised to meet this end, then you see that another principle comes in—the protection of the true owner of the goods. Because what is provided is that there shall be a sale as notorious as possible, a sale in open market, a sale where all the people from round about collect, and the owner or his friends may have an opportunity of seeing the goods if the thief tried to dispose of them. That this principle really does come in is illustrated by the circumstance that there were special laws with regard to particular kinds of chattels. For example, horses; if a man stole a horse, and rode it to the nearest market, well, the owner without the horse followed on foot; he arrived too late, and therefore it was the law that you had to keep the horse a certain time in the town in public stables before you could sell it at all. I may perhaps mention, as an analogous case to this, and which illustrates the same two principles of the law as to negotiable instruments, where you have on the one side the convenience of merchants and the custom of merchants as the origin of it, that it was necessary for facilitating commerce that there should be certain means provided for transferring property easily from one man to another, and on the other hand you have the protection of the true owner of the property; because special forms of instruments are required, and a man knows that if he makes one in that form he must take special care of it or he may lose his property. Well, turning to London; it does not appear to me that the conditions are such that these principles really have any application now. It cannot very well be said that this means of getting a good title is any longer required for the convenience of tradesmen, at any rate that it is specially required in the City of London. People sell and buy easily enough in shops everywhere else. And then looking at the second aspect of it, the protection of the true owner, it does not appear to afford any protection, because it affords no greater notoriety than if you sell anywhere else. If I sell a jewel in Mayfair, there is perhaps more notoriety and publicity in the sale if I sell it in Bond Street than if I sell it in Gracechurch Street, but the one confers a title and the other does not. I have no evidence, and I do not for a moment believe that any tradesmen in the City, relying on this custom, really do buy carelessly from persons whom

* *See* Kemp, 4849–55.
† *See* Kemp, 5078–82.
‡ *See* Kemp, 5091–4; 5127–32.
§ *See* Kemp, 5212–3.
|| *See* Kemp, 5234–6.
¶ *See* Kemp, 5474–9.
** *See* Kemp, 5683–8.
†† *See* Kemp, 4547.

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they have reasonable cause for believing are dishonest possessors of goods; but if by accident they have done so, then they plead the custom, and then they get what appears to me an unfair advantage.

5915. I suppose relatively to the state of the country and the population of the country, there is less retail trade now in the City of London than there was when this custom probably was instituted?—I should think very much.

5916. (*Mr. Crawford.*) But you do not suggest that the custom of market overt was mainly in connexion with the dishonesty of persons, do you?—No.

5917. I mean to say, take the preamble of the statute of Philip and Mary, where Parliament recognised the custom of market overt. Did it not show that really there had been a great decay in trade, and that the principal reason of it was because persons could not sell in market overt, and therefore it declared that every fair should be considered a market overt, and that was passed for the express purpose of increasing trade?—Yes, but I think that just illustrates what I have said, because the only reason why trade had fallen off would be that if a stranger came and tried to sell not in market overt, probably he could not do so, because no one would trust him. I said on the one hand it is for the convenience of merchants, therefore for the advancement of trade; on the other side the protection of the owner of the goods appears from the nature of the sale that is required.

5918. But is it not an advantage to City tradesmen to have a legal title in such a case?—It is an advantage.

5919. Why do you suggest that they should be deprived of that?—They have not it anywhere else, and the sale in a shop in the City of London has ceased to have the publicity and notoriety which was required of a sale in market overt when it began.

5920. But there are a good many other matters which they have in the City which they do not have outside, and that is the very reason why people come into the City, Mr. Kemp. I understand you simply give it as your reason why you think that this custom of market overt either should not be continued in the City, or should be extended everywhere; is that what you suggest?—Not exactly. I think I have gone further than that. I cannot see that, existing merely in shops and not in the open market place, the custom in the City fulfils the conditions which were meant to attach to the sale in market overt.

5921. (*Lord Farrer.*) Is there any reason whatever for the existence of any such custom now; is any inconvenience found from the sale of goods retailed in places where there is no market overt?—Not so far as I am aware.

5922. Is there ever a case—do any cases ever appear in the courts where there is any question about the title to an article which is bought in a shop outside the City? Are there any such cases as throw any uncertainty on the purchase of goods outside the City?—Oh, no; if a shopkeeper outside the City purchases from a thief he does not get a title.

5923. But does that ever happen; does it ever happen in practice that anybody hesitates about a purchase outside the City on that account?—I think that all honest tradesmen, if they have any reasonable ground for suspecting the honesty of the person selling, would refuse to deal with him, but in general there is not any difficulty now on account of persons being strangers.

5924. (*Chairman.*) There are frequent cases?—Oh, yes.

5925. Not relatively very numerous, but still there are frequent cases in the police courts of pawnbrokers who are ordered to deliver up goods which they have bought from a person who had not got a title to them?—Yes, there are special provisions in the Police Acts empowering police magistrates to order that.*

* *But see also* Savill, 7707.

5926. (*Mr. Smith.*) Might not this special custom occasionally work to great disadvantage? I take the case of Messrs. Spink and Sons; if they had bought the jewels from Mrs. Osborne in the shop instead of upstairs they might have kept them as against the rightful owner?—Certainly, but in that case it would not very likely have mattered, because Mrs. Osborne's relations paid everything.

5927. That is an accident?—It is quite an accident. In that case it would have been very hard.

5928. Most criminals' relations are not equal to paying?—No.

5929. (*Chairman.*) In any case it would be a question which of two honest persons lost?—Yes; well, but the general rule is that the purchaser takes the risk.

5930. (*Lord Farrer.*) As matter of law, supposing I go into a jeweller's shop in Oxford Street and buy something out of the window there, and it proves that the jeweller had bought it from somebody who had stolen it, can the original owner of the goods follow it into my house and get it back?—I believe he can.

5931. (*Mr. Crawford.*) If he had a knowledge of the thief. First of all, there must be a conviction, must there not, Mr. Kemp. You have got to convict the offender, have you not, first of all?—I mean, you do not get a title.

5932. The probability is that by the time the conviction is obtained, the article would not have been left in the house. I do not see how you are to detain it unless you can get the aid of a police constable at once. There must be a conviction, must there not, in order to gain a title to possession?—I meant that you would not get a title.

5933. Mr. Kemp, does it not come to this, you are giving us the benefit of your opinion as a lawyer, but you do not speak from any actual experience of commerce or otherwise of the advantage of this custom?—That is quite true.

5934. (*Lord Farrer.*) I think you can answer this, not as a lawyer. Does anybody have any doubt as to having sufficient title to retain any goods that he buys in a shop in Oxford Street?—No, I do not think so.

5935. (*Chairman.*) Have you any more corrections?—Nothing more, sir.

5936. You wish to lay before us some observations upon the constitution of the county of London?—Yes, my object has been not so much to speak, of course, of counties in general or to give information about them, as to point out respects in which the county of London differs from others owing to certain institutions, such as police courts, that exist within it.

5937. The City of London has been a county in itself for centuries?—Yes, there is no document that shows when it became a county, but it appears to have been separate from Middlesex as far back as history goes.

5938. And then outside the City there was an area, or two or three areas I may almost say, which were metropolitan areas, an area for the metropolitan police?—Yes.

5939. One area of a quasi metropolitan character for the Central Criminal Court, and an area for the Metropolitan Board of Works?—Yes, for the Metropolitan Board of Works.

5940. Then what did the Act of 1888 do?—In 1888 the Local Government Act took those parts of the counties of Middlesex, Surrey, and Kent, which were within the limits of the metropolis as defined by the Management Act of 1855, out of those counties, and created a new county—the county of London—which consisted of the whole area of the Metropolitan Board of Works, with the exclusion of the City. The Act provided that a sheriff might be appointed for the county, and that it should be lawful to grant a Commission of the Peace, and a Court of Quarter Sessions, and that it should be subject to all laws and usages, with respect to counties in England and Wales, and to sheriff, justices, and quarter sessions.

5941. And that was, in fact, the creation of a new county?—Of the new county of London, yes. There is a third area, the administrative county of London. That is the area of the county of London with the addition of the City, so that you have within the area of the administrative county of London the county at large and the county of the City.

5942. Is there anything like that in any other administrative county in England?—Yes, there are certainly counties which contain towns that are counties of themselves.

5943. (*Mr. Crawford.*) And more than one town is a county by itself?—I daresay that is so. I have not looked at the position of the towns that are counties to be sure of it, but it is quite likely. Of course, the difference is that in those cases you have a rural county; in this case you have, whatever it may be called, what is practically a town, and inside the town there is another town which is a county in itself.

5944. (*Chairman.*) Then you say—I do not know whether it is the case with Exeter; Exeter is a county of itself?—Exeter is.

5945. Exeter is a city and county of itself, within what is called the rural county of Devon?—Well, within the county at large, which is itself a rural district.

5946. The county of Devon at large would be looked upon as the rural area?—Yes.

5947. The county of London at large is a city or a civic area?—Yes, it is a town.

5948. (*Lord Farrer.*) Is there not another difference in these cases, that in London the jurisdiction of the County Council extends for certain administrative purposes to the City, in the matter of main sewers, for instance; is that the case in any other place where the county includes the county of the city?—I think so, because that depends on this, if the county of a city is also a county borough, then it will be entirely excluded from the administrative powers of the County Council of the adjoining county.

5949. It is entirely excluded?—If it is a county borough, except with reference to some obligations that have arisen before its creation.

5950. (*Mr. Smith.*) And which can be redeemed?—And which may be redeemed; but there are several counties of cities which are not county boroughs.

5951. Yes; upon that I wanted to ask you what functions does the county of Devon, that has been given as an illustration, what functions does the county of Devon exercise over the city of Exeter?—Well, Exeter is a county borough, is it not?

5952. Exeter is, I believe a county borough; it certainly is a county of a city. I will take another case, if you like.

5953. (*Lord Farrer.*) Take Bristol, which is decidedly——

5954. (*Mr. Smith.*) Yes; well, take Bristol if you like?—I understood that you wanted to take——

5955. I wanted to take an illustration.

5956. (*Chairman.*) Take one under 50,000, which is not a county borough, which is more important?—That is what I thought. Well, one that is not a county borough, but is a borough having a court of quarter sessions and a population exceeding 10,000.

5957. (*Lord Farrer.*) Take it of the highest kind; one that has a sheriff of its own?—Has a sheriff of its own.

5958. (*Mr. Crawford.*) How about Poole, Mr. Kemp. That is not a county borough, is it?—No.

5959. (*Chairman.*) Has it got a sheriff?

5960. (*Lord Farrer.*) Bristol, Norwich, Nottingham, York, Haverfordwest, which are given in Sir Henry Jenkyns' paper?—Yes; but that is not a complete list, however. Ipswich, for example, is a county of a city, and is not a county borough.

5961. (*Mr. Crawford.*) Yes, those towns are merely mentioned as examples, I see?—Yes.

5962. (*Mr. Smith.*) Worcester is another.

5963. (*Lord Farrer.*) What I want to get at is, a borough which is most completely independent of the surrounding county; one which has the highest and most complete self-governing jurisdiction of its own, including a sheriff.

5964. (*Chairman.*) Not being a county borough.

5965. (*Lord Farrer.*) Not being a county borough. In that case does the council of the surrounding county exercise any jurisdiction whatever within the borough?

5966. (*Mr. Crawford.*) Take Northampton?—Yes, it does. I am afraid I am not really at the moment prepared to make an answer.

5967. (*Mr. Smith.*) I wanted to take the case of something comparable with the City of London, not in point of view of not being a county borough, but in point of size. I was taking a big town?—Well, the case which is the same, which is comparable, is a quarter sessions borough with a population exceeding 10,000. Section 41 of the Act of 1888, deals with the case of the City of London. Those powers and duties of the court of quarter sessions and justices of London, which in the case of a quarter sessions borough, with a population exceeding 10,000, would have been exercised by the council of the borough, are transferred to the Common Council of the City, and those of them which would have been exercised in that case by the County Council, are transferred here to the County Council.

5968. (*Mr. Crawford.*) To the Common Council?—No, I will re-state it, but I have stated it quite correctly. The effect of the last provision is to transfer to the London County Council, as far as I know, one power only, and that was the power with regard to music and dancing licenses.

5969. In respect of three houses, I think?—I do not know.

5970. (*Mr. Smith.*) It is comparable to the case of an ordinary borough with a population of over 10,000 and under 50,000?—Yes, because 50,000——

5971. (*Chairman.*) I could give you an example. I think Penzance is a quarter sessions borough of a little over 10,000?—Yes.

5972. And the County Council of Cornwall is in respect to Penzance what the County Council of London is in respect to the City?—Yes.

5973. (*Mr. Crawford.*) Penzance has no sheriff.

5974. (*Chairman.*) No sheriff, I admit?—Well, then, in that respect there would be a difference, because the Sheriff of Cornwall would have jurisdiction.

5975. (*Lord Farrer.*) Then in Bristol, it has a sheriff of its own.

5976. (*Chairman.*) That is a county borough?—We get a step further, that is a county borough; and it is absolutely cut off.

5977. (*Lord Farrer.*) Absolutely cut off?—With certain exceptions which Sir Henry Jenkyns mentions here, and which may be got rid of. On page 5 of his memorandum he says that "since 1835 many boroughs "have been created which had not this ancient "exemption."

5978. That is exemption from county rate?—Yes. "To some of them Letters Patent have granted a "court of quarter sessions, and thereby given an "exemption from contributing towards the cost of "executing new administrative powers conferred on "quarter sessions. But this grant did not exempt "the area of the borough from contributing for matters "for which the area of it was anciently liable, *e.g.*, "county bridges, judges' lodgings, lunatic asylums, "prosecutions at assizes." And I thought he said somewhere that there might still exist liability in regard to some of these things which had been incurred before they were made county boroughs.

5979. It depends upon the grants and old charters, does it not?—Yes.

5980. (*Mr. Smith.*) If the borough had what they called a non-intromission clause in the charter, or something of that kind, the county justices had no power to levy a rate? That was the point, was it not?—The county justices had no jurisdiction at all.

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5981. It turns on some old question of that kind, I remember. But, in point of fact, the purport of your answer is that the City of London, as a city, containing the population that it does, has been treated *pari passu* with others of the same kind, under the Local Government Act?—It has been treated on the same level.

5982. As a quarter sessions borough of a smaller population in the rest of the country?—Well, I think you know that any other borough, being a county of itself, and having the population of the City of London, would probably have been made a county borough. It does not seem to have been treated upon so high a footing.

5983. Taken not upon the night population, it obviously would have been a county borough?

5984. (*Mr. Crawford.*) That is probably the reason why a special clause has been put into the Local Government Act in connexion with the City?—About the transfer?

5985. On various points?—This clause 28 applies in an important manner.

5986. (*Chairman.*) This county of London, apart from the administrative county of London, is in all respects like any other county?—Like any county at large.

5987. But its governing body—its County Council; of course, that extends to the administrative county?—To the administrative county; and the county at large differs from other counties, by reason of the existence within it of several institutions which are peculiar to London, like the Metropolitan Police Courts and a special system of quarter sessions.

5988. What have you to tell us about the police and justices in the metropolis?—That the powers of justices in London are made different from those in all other counties at large by reason of the existence of the Metropolitan Police Courts within the Metropolitan Police District.

5989. Which is not coterminous with the county?—With the County of London. I may perhaps hand you a map, of which I do not know if the Commissioners had copies.

5990. We have had it.

5991. (*Mr. Smith.*) Mr. Harrison handed it in.

5992. (*Chairman.*) You may refer to it?—Do you wish me to state the history?

5993. I think you need not go through the history. There were in 1885 23 of these magistrates (page 66) to sum up the existing position?—Yes; there are at present 25 police magistrates in the City.

5994. (*Mr. Crawford.*) Twenty-six it was?—Yes, but when I said 26, I was including West Ham; the magistrate there is, of course, a stipendiary magistrate.

5995. You mean in the metropolis outside the City; you mean outside the City?—Did I say in the City?

5996. (*Mr. Smith.*) You mean in the county of London?—Yes; their jurisdiction extends beyond the county of London in some respects.

5997. (*Chairman.*) The Metropolitan Police district?

5998. (*Mr. Smith.*) The Metropolitan Police district,—Yes, I beg your pardon.

5999. (*Lord Farrer.*) The area of the jurisdiction of the stipendiary magistrates, does that agree with the area of the Metropolitan Police?—Yes; in some respects it does, but in other respects divisions of the Metropolitan Police district have been assigned to each court as police districts. But I will explain the concurrent jurisdiction, which is rather a complicated question, perhaps, more fully.

6000. (*Mr. Smith.*) Just to clear the ground. You mentioned West Ham. West Ham is now a borough?—It has been a borough since 1886.

6001. Has the stipendiary of West Ham any jurisdiction outside the borough?—No; his jurisdiction is confined to the borough; but he has there all the powers of a Metropolitan Police magistrate under the Metropolitan Police Acts.

6002. We may really dismiss him, as he does not extend beyond the borough, may we not?—Well, I think we have to consider his case, which is analogous to that of the powers of justices in a part of the Metropolitan Police district which has not been assigned to any police court, and he, as the stipendiary magistrate for West Ham, will be in the same position with regard to his area as two justices in those parts of the Metropolitan Police district are.

6003. (*Chairman.*) The justices at Highgate for example?—At Highgate.

6004. Or Hampstead?—At Hampstead and Penge, and there is a small part of Bromley that is really outside the police district, but, I believe, is practically treated as if it were within the district of Worship Street. It is a very small part. I think you need to consider, in order to understand the concurrent jurisdiction of the police magistrates and the justices of the county of London, or of the neighbouring counties within the Metropolitan Police district,—you need to take four cases. First, you have to take the case of those parts of the Metropolitan Police district which were assigned—have been assigned—as divisions to police courts which were established before 1840. These were Bow Street, Westminster, Marylebone, Marlborough Street, Worship Street, Clerkenwell, Thames, Southwark, and Lambeth. Then you have to take the case of the parts of the Metropolitan Police district that have been assigned to police courts created under the Act of 1840 by Order in Council—the districts assigned to them by Order in Council. Those parts are in a different position. Thirdly, you require to take those parts of the district which have not been assigned as divisions to any police court, but which are under the jurisdiction of justices, or in one case of a stipendiary magistrate, whose ordinary place of sitting or petty sessional court is within the area—within the Metropolitan Police district. That is the third case. And finally, you have to take the case of parts of the Metropolitan Police district which have not been assigned as a division to any police court, but which are under the jurisdiction of justices who ordinarily sit outside the district altogether. If you confine your attention to the case of the county of London, then the fourth case does not arise, because there is no such case.

6005. That is a case of part of the Metropolitan Police district lying outside the county of London?—The instances of this fourth case all occur in parts of the Metropolitan district which lie outside the county of London, because they are cases of parts of the Metropolitan Police area which have not been assigned to a police court, and which have no justices usually sitting within it, but come under the jurisdiction of justices who sit without the area altogether.

6006. (*Mr. Crawford.*) Would Hornsey be an instance of that?—I do not know.

6007. It is within the Metropolitan Police area, of course?—Yes. I do not know—I cannot tell you what the instances of that fourth case are, but they do occur. But they do not occur if you are confining your attention to the county of London. Of course, obviously, there are no cases there in which the justices would be sitting outside the very much larger area of the Metropolitan Police district. The first case was the case of the police courts before 1840.

6008. (*Chairman.*) Yes?—You have there a daily attendance of magistrates which is compulsory. Their powers are the same, I think, as the powers of all the other police magistrates. That is, cases one and two. They have the power to adjudicate with respect to offences against the Metropolitan Police Acts, in whatever part of the district they arise or are committed, and they have the power of two justices with regard to all matters and offences at common law, and against statutes, arising or committed within the Metropolitan Police district. The next point is—this applies also to the first two cases, to all the police magistrates:—no person residing within that part of the Metropolitan Police district which has been

assigned to a court can be required to appear to answer for any offence or matter arising within the Metropolitan Police area outside it—he cannot be required to appear outside the Metropolitan Police area with regard to any matter which arises within the area.

6009. (*Chairman.*) What you said at first refers to the qualification of the magistrates trying, not the liability of the person to be tried?—No, sir; because I am speaking now of persons who reside in that portion of the Metropolitan Police district which has been assigned to some police court. But then there are parts of it which have not been so assigned, and persons who live there may be required to appear outside the district altogether, being in the jurisdiction of magistrates whose usual place of sitting is outside the district.

6010. What did you say first as to the power of one of these magistrates to try or hear any case arising within this district?—He has power, but no exclusive jurisdiction.

6011. His power is a good one, whatever court he sits in?—His power is good, whatever court he sits in, and in whatever court he is sitting, he might, although as a matter of convenience I do not think he does, hear a matter that arises quite outside the district of the court that he is sitting in.

6012. In another district?—In another district, or in any other part of the Metropolitan Police area.

6013. That means not merely that the magistrate at Westminster could go to Worship Street and hear a complaint there, but he could at Westminster adjudicate in a case which arose in Worship Street?—He has jurisdiction to do so.

6014. At Westminster?—At Westminster.

6015. (*Lord Farrer.*) Then what is it that practically limits his jurisdiction?—Oh, where the person accused is arrested, for example, he is taken to the police station in that district. And when summonses are issued, I suppose the convenience of the persons is considered, and they are not brought to a police court further from where they live than conveniently may be.

6016. (*Mr. Crawford.*) You do not mean to say that a prosecutor would have his choice of courts?—No, I do not think so. But I simply mean that as to the jurisdiction. I have stated that as a matter of practice and convenience the magistrate is confined to the cases which arise within the part of the district which is assigned to his court. But his jurisdiction certainly extends to the same offences anywhere within the Metropolitan Police area.

6017. (*Mr. Smith.*) Within that area the criminal is interchangeable?—Yes. Then the next point was that no person residing within this part of the district, the parts mentioned in the first and in the second case, all parts assigned to police courts, can be required to attend outside the district to answer any information or complaint touching any matter arising in any part of the district which is assigned to any police court.

6018. (*Chairman.*) That is not that a man cannot be summoned to attend ouside the divisional district, but he cannot be summoned to attend outside the district as a whole?—Yes. The next point is confined to the first case, that of the police courts founded before 1840. In them no justice of the peace who is not a police magistrate or a clerk of such justice, is allowed to take fees for any act done by them within that portion of the district, but this does not apply to the fees which the magistrates are empowered to take at a police court under the Metropolitan Police Acts. These are scheduled to the Act. Of course the real fact is that as you have a court where compulsory daily attendance exists, and where when a magistrate is present he is the sole judge in his court, the justices practically are excluded, but it does not appear that their jurisdiction has been taken from them. If they could exercise it they still seem to have concurrent jurisdiction within this part of the area with the Metropolitan Police magistrates, only they cannot take fees.

6019. Might they go and sit by the side of a police magistrate?—No, he is the sole judge in his own court, while he is there. The second case is in a different position. In the second case, any two justices of the peace, within the limits of their commission, while sitting publicly at the police court, have all the powers and privileges of a police magistrate. That is in the second case. The case in those parts of the district which——

6020. After 1840?—After 1840, I am not clear that I mentioned, for it is the real point of distinction between the first and second case, that although the justices still have in theory concurrent jurisdiction with the police magistrates in the old courts, yet there they would not have the powers that are given to the police magistrates under the Police Acts, but only the powers that they would have as a court of summary jurisdiction anywhere else. Outside that first case, they have all the powers under the Metropolitan Police Acts; they can sit, but whenever the daily attendance of a magistrate has been directed, then, when he is present, he is the sole judge in his court, and the result is that there also their jurisdiction is practically ousted.

6021. They are ousted again?—They are ousted again; so that you come to the third case, which, so far as the county of London is concerned, has not much application, though it has a little. A portion of the Metropolitan Police area has not been assigned as a division to any Police Court. It is under the jurisdiction of county justices whose ordinary place of sitting is within the Metropolitan Police area. The cases are part of Hampstead, Penge, and a small part of Bromley; and if you wish to take the case, there is also the jurisdiction of the stipendiary magistrate at West Ham, which is in the same position. In this case, two justices, having jurisdiction within the district, have, while sitting together in the court used for petty sessions, all the powers, privileges, and duties which a police magistrate has while sitting in a police court under the two Acts of 1839 and 1840, with one exception, they have not the power to give possession of deserted premises; an exception which applies also, I think, to the City of London, and which is almost the only exception from the jurisdiction of the Aldermen there.* Persons charged with offences committed within this part of the district may also be charged before police magistrates sitting in any other part of the district.

6022. Is that ever exercised, that last provision, that prisoners are brought from parts outside?—I do not know in practice whether it is, but this jurisdiction in Hampstead, at any rate, is exercised by justices. This is a living case.

6023. Yes, but is there any case of a man who is accused of something in Hampstead being taken down to Bow street?—I do not know. Persons arrested south of Lambeth, and outside the district of Lambeth Police Court, are in practice frequently brought to be tried there. The fourth case was the case of offences committed in that part of the Metropolitan Police area which lies outside the divisions which have been assigned to police courts, and is under the jurisdiction of justices who sit habitually outside the police area. In that case the offences committed in this portion of the district against the common law, or general law, may be heard or determined by the county justices, but persons charged with offences against the Metropolitan Police Acts must be brought to a police magistrate sitting at a police court, and dealt with by him under his jurisdiction under the Metropolitan Police Acts; because, you see, these justices there have none of the powers under the Metropolitan Police Acts.

6024. How large is that fringe of land?—I am afraid I have already said I do not know the cases in which the justices sit outside the area.

6025. Justices sitting outside the area and trying cases?—And trying cases.

* *But see also* Douglas, 7673–4; Savill, 7707.

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6026. And offences at common law within the area?—Within the area.

6027. But not statutory offences under the Police Acts?—No.

6028. (*Mr. Crawford.*) In order to make your statement complete you had better now, so that we may have it on the notes, just tell us what is the effect of these Acts within the City, just to make your statement complete?—The Lord Mayor or an Alderman sitting at the Guildhall or Mansion House Justice Room, sitting alone, has all the powers of a metropolitan police magistrate within the City, therefore not quite as extensive as his powers; the metropolitan police magistrate's jurisdiction extends to the whole area of the metropolitan district, but within the City they have all the powers of the metropolitan Police Magistrate, I think, with the exception of that power about giving possession of deserted premises, and of course excepting certain very special powers under particular statutes that are conferred upon them; for example, they are named as the arbitrators under the Telegraphs Act.

6029. Oh, yes, but that is outside the ordinary summary jurisdiction?—Yes, quite outside the ordinary jurisdiction. Then in the case of extradition, the warrant of the Home Secretary issues to the chief magistrate at Bow Street.

6030. And to him alone?—And to him alone, I think, yes.*

6031. (*Lord Farrer.*) Have the police magistrates of the area outside the City jurisdiction with respect to any offence committed within the City?—No, I do not think they have.

6032. The jurisdictions are mutually exclusive?—I think so.

6033. (*Chairman.*) Well, then, perhaps, we had better go to the consideration of Quarter Sessions?—Perhaps I may mention first to show what jurisdiction still remains to the ordinary justices that the police magistrates have no power to do anything which is specially directed to be done by special sessions, that is to say sessions directed by statute to be held, in a petty sessional division by the justices within it. There are some purposes for which the Petty Sessional divisions are treated as units, and powers are conferred upon the justices with regard to their own petty sessional division, whereas, as a general rule, the justices' powers, although they may be usually exercised only in the petty sessional division, of course apply to the whole county in which his commission gives him jurisdiction. The particular cases of special sessions are for the purposes of granting licenses for the sale of intoxicating liquors, granting licenses for dealing in game, for certain purposes under the poor law, valuation appeals, and the revision of the jury lists.

6034. (*Lord Farrer.*) What are these valuation appeals—valuation appeals in individual cases?—Yes, not affecting the total.

6035. (*Mr. Smith.*) Not appeals against the rate so called, but against individual assessments?—Yes, that is it; the other appeals are to the general assessment sessions. I do not know whether you wish me to go into these different cases. I mention them really rather to show that this is part of the general jurisdiction of justices which remains in the Metropolis in the justices of London.

6036. (*Mr. Crawford.*) And in the City in the Aldermen as justices?—And in the City remains in the Aldermen.

6037. (*Mr. Smith.*) They are more of an administrative character than judicial strictly?—They are; yes. Then there are also certain powers under the Lunacy Act of 1890, which the justices specially appointed by the justices in quarter sessions exercise. The Act does not exclude the jurisdiction in this respect of the police magistrates, but it directs that the county court judges and police magistrates shall not be required to exercise any power under the Acts so as to interfere with or delay the exercise of their ordinary jurisdiction. The Home Secretary ha power to make regulations to prevent interference with their ordinary jurisdiction, their doing of their ordinary business.

6038. (*Mr. Crawford.*) Is that in connexion with the adjudication of settlements, or the removal of lunatics?—There are certain justices to be appointed under the Act by quarter sessions to have judicial authority under the Act, and the principal duty of those justices is hearing petitions for the confinement of lunatics not so found, and the granting of orders for their reception into an asylum.

6039. (*Chairman.*) And the justices of London, have they appointed a certain number of their body to discharge these functions; you presume they have?—I think they have.

6040. And would the Court of Aldermen appoint a certain number of their body in the same way?—They could do so, they may do so under the Act.

6041. (*Mr. Crawford.*) It is so stated in the Corporation statement?—The Home Secretary has the power to make rules to prevent the interference in the exercise of these functions with the duties of police magistrates and stipendiary magistrates.

6042. Mr. Kemp, you were proceeding to tell us about the Quarter Sessions?—"As regards the Court "of Quarter Sessions for the County of London, the "Local Government Act provides that the London "County Council may from time to time submit to a "Secretary of State a scheme for regulating the "holding of courts of quarter sessions in London, "either at any one place or at different places, and in "the latter case either at the same time or at different "times, and for determining the character of the "sessions so held, that is to say whether quarter, "general, original, or adjourned sessions, or otherwise: "and for making such regulations respecting com-"mittals for trial, recognisances, depositions, and "other matters as are necessary or proper for giving "effect to the scheme, and any such scheme when "approved by a Secretary of State is to be published "in the London Gazette, and shall thereupon have "effect as if it were enacted by the Act. There is "a scheme at present in force for regulating the "quarter sessions of London."

6043. (*Mr. Crawford.*) That does not apply to the City?—It does not apply to the City, I have dealt throughout with the City separately.

6044. (*Chairman.*) The London County Council have prepared a scheme?—They have prepared a scheme.

6045. And it is in operation?—I can hand you a copy of it if you wish to see it, sir.

6046. Does it present any special feature apart from other quarter sessions, except in respect of the presiding officers?—Well, the frequency with which the sessions are held, and that they are held at two places often at the same time.

6047. There being two presiding officers?—Yes, they are held by the existing assistant judge and deputies.

6048. (*Chairman.*) The existing assistant judge of the Middlesex sessions was continued as the chairman of the quarter sessions of the county of London, and he had power to appoint a deputy, and that power is continued as regards him personally, but in future the deputy chairman will be appointed by the Council.

6049. Appointed by the Crown, is it not?—By the standing Joint Committee.

6050. Will be appointed by the standing Joint Committee?—Excuse me one moment. Will be appointed by the Crown on the petition of the London County Council.

6051. The Crown usually appoints judicial officers?—Yes.

6052. And has the Crown any power in respect to the payment, the remuneration of these officers?—The petition of the County Council mentions the amount of the remuneration which they are willing to give, and the Crown approves.

† *But see also* Douglas, 7670–2.

6053. The County Council submits a scheme?—The County Council submits a scheme. The Crown may or may not act upon it?—May or may not approve it.

6054. (*Lord Farrer.*) There has been a good deal of trouble about the present salary, has there not?—I believe there has been.

6055. (*Chairman.*) Quite apart from the special circumstances of the present holder or the present salary, is the scheme in future that the County Council is to determine the amount of the remuneration of these two officers, with or without check of any kind.

6056. (*Mr. Crawford.*) I see that sub-section 3 of section 42 apparently provides for that, "There shall "be paid to him out of the county fund, as a general "purpose, such yearly salary not exceeding that "stated in the petition, in consequence of which the "appointment was made, as Her Majesty directs?"—Yes.

6057. (*Mr. Smith.*) It is very similar to the appointment of a Recorder, who is appointed by the Crown, and paid by the Council.—In the petition the Council name the salary.

6058. (*Mr. Crawford.*) If the salary were an insufficient one, probably that would be a ground for refusing the petition.

6059. (*Mr. Smith.*) Yes, probably, and there is no power in the Crown for increasing the salary without the sanction of the Council. My recollection is that the words are, there shall be paid such salary not exceeding that mentioned in the petition as the Crown may approve.

6060. (*Mr. Crawford.*) Under the Act?

6061. (*Chairman.*) Have you the Act there?

6062. (*Mr. Crawford.*) Yes, I am reading from sub-section 3 of section 42.

6063. (*Chairman.*) Will you read it again, please.

6064. (*Mr. Crawford.*) "There shall be paid to "him, out of the county fund, as a general purpose, "such yearly salary not exceeding that stated in the "petition, in consequence of which the appointment "was made, as Her Majesty directs."—That is exactly what I said.

6065. (*Mr. Smith.*) You have quoted it, Mr. Kemp, on page 68, where you refer to the paid chairman or deputy chairman being given a sum not exceeding the sum mentioned in the petition?—Yes.

6066. (*Chairman.*) And if the County Council submitted a scheme, with what some persons might think an inadequate salary, would there be any power, except that of refusing to appoint a judge, to counteract their proposals?—Except the power of refusing to approve the scheme, there would be no other, as far as I know.

6067–8. (*Lord Farrer.*) Is it not a fact that the County Council may appear before this judge as a plaintiff or defendant, in respect, for instance, of valuations under the Metropolitan Valuation Act.

6069. (*Mr. Smith.*) As appellants or respondents.

6070. (*Lord Farrer.*) Yes, appellants or respondents; not plaintiffs or defendants.

6071. (*Mr. Crawford.*) Well, they have recently appeared, Mr. Kemp, surely in a good many cases?—Yes, they did do so.

6072. I think, Mr. Chairman, if one reads that section, the sub-section I have referred to, it seems as if Her Majesty practically directs the salary to be paid, but the salary is not to exceed that stated in the petition.

6073. (*Lord Farrer.*) Yes.

6074. (*Chairman.*) What I submitted was, in the event of the amount stated in the petition being, in the judgment of certain persons, inadequate, what the remedy was?—As far as I know, I do not think there is any means of counteracting that, except by refusing to approve the petition.

6075. (*Mr. Crawford.*) That would be refusal on the part of the Crown.

6076. (*Chairman.*) Is the scheme, once submitted, unalterable?—No; from time to time a new scheme for holding quarter sessions may be submitted, and since the County Council have been appointed several have been submitted, at least, I know it has been altered.

6077. But I suppose, so far as any person appointed to hold the office is concerned, the salary could scarcely be altered during his tenure?—It could not be decreased.

6078. He might not object to the other.

6079. (*Lord Farrer.*) Is there not an anomaly in a body practically fixing the salary which may be interested as a plaintiff or defendant, or as a respondent or appellant, before the judge?—By anomalous do you mean that there are not other cases in which the same thing happens?

6080. Well, at any rate, there may be an awkward position if a body which is a party to an important process before this judge has to fix his salary; if, for instance, they should fix his salary at what he considers an inadequate sum, and he should make decisions on important points which they may think are made against them?—That is an unfortunate position.

6081. That is an unfortunate position.

6082. (*Mr. Smith.*) But may that not be the reason, Mr. Kemp, for the terms in which his salary is fixed, that it is not to exceed a sum named in the petition because one might put the converse of the case. A body might pay such a large salary to a judge that he might always decide in their favour.

6083. (*Lord Farrer.*) That would be an equally awkward position.

6084. (*Mr. Smith.*) Do you not think that is the object that the salary should be fixed in the petition, and that then the judge has no possible interest one way or the other?

6085. (*Mr. Crawford.*) But if you take the whole of the section 42 it clears itself. There are arrangements for a paid chairman and an assistant chairman of quarter sessions, and then it names the maximum salary you are permitted to pay. Then the petition has to be approved, and, having been approved, then comes the appointment. I suppose the man would not take it without he was satisfied with the pay.

6086. (*Mr. Smith.*) You are not to increase it without a fresh petition.

6087. (*Mr. Crawford.*) No; distinctly it says a sum not exceeding——

6088. (*Chairman.*) Neither increase nor diminish it without a fresh petition?—Yes? I think it is similar to the case of appointing stipendiary magistrates in boroughs, is it not, you mention the salary?

6089. (*Mr. Smith.*) Oh! yes, we are quite in the same position, and we are constantly before our stipendiary in police cases, prosecuting generally, not often as defendants, I am glad to say.

6090. (*Chairman.*) This new county has got a sheriff who is nominated like the sheriffs of other counties?—Yes; and his duties are like those of the high sheriff of all counties now; his duties are principally ceremonial, or not of any very great importance. His duties are even lighter than those of others.

6091. All sheriffs are now appointed in the same way, except the sheriff of the City of London?—No, not in other cities that are counties of cities.

6092. (*Mr. Smith.*) They are appointed by the Council on the 9th of November immediately after the Mayor.

6093. And there is also another, Oxford. I think the City of Oxford appoints a sheriff although it is not a county.

6094. (*Chairman.*) Then the county has got a lord-lieutenant?—There is a lord lieutenant of the county of London. His duties are the same as those of other lords lieutenant. He appoints the deputy lieutenants, and he has the nomination to first commissions in the militia, and he is, in fact, I think, though not necessarily, the *custos* of the county.

6095. (*Mr. Smith.*) Has there not been some little alteration as to the militia lately. Are the commissions any longer in the lord-lieutenant?—Only the first commissions.

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6096. You distinguish that, I see; only the first commissions?—Otherwise the militia is under the War Office, and is part of the territorial army, and connected with the regiments according to the locality. It is upon his recommendation that the Lord Chancellor appoints the justices of the county, and beyond these duties and privileges I do not think there is very much that attaches to the office of lord lieutenant except that of dignity and position.

6097. (*Chairman.*) He is not distinguishable from the lord lieutenant of any ordinary county?—Of any ordinary county.

6098. Is there anything special about the coroners of the county of London?—There is nothing special; but there are different kinds of coroners in the county of London as there are in other counties frequently.

6099. Franchise coroners?—Franchise coroners.

6100. Special liberties?—That includes all coroners who were prior to 1888 appointed otherwise than by the election of the freeholders in the county court.

6101. We have been speaking, so far, of the county of London, which is part of the administrative county, which is made up of the county of London and the county of the City of London?—Yes.

6102. The City of London is a county in itself; it has its own sheriffs; those sheriffs derive their office in a peculiar way, do they not?—Sheriffs of London have been appointed, as long as we know anything of its history. There are charters granting the right of appointing the sheriffs of London, but only by way of confirmation, because the right existed before. The shrievalty of Middlesex was purchased by the City of London for the purpose, it is said, of enabling them to pursue bankrupts and felons and others who fled from the city into districts round, and down to the year 1888 they still paid the fee farm rent at which they had purchased the office of the shrievalty of Middlesex.

6103. (*Mr. Crawford.*) And have paid it since then?—There was a resolution in 1888 that it should be paid out of the Consolidated Fund?

6104. Yes; unfortunately there was a resolution which was not acted upon?—But to some extent. I see from Sir Henry Jenkyns' paper that I was not quite accurate about that, and the whole amount was not paid out of the Consolidated Fund, upon the ground that the City had paid this rent not only for the office of sheriff, but for certain other privileges that were granted to them at the same time. What part was repaid to the City I do not at present know.

6105. (*Chairman.*) The annuity is in the possession of some private purchaser?—Yes; the Crown parted with it.

6106. And some portion of it is still paid by the City?—I believe that is so. It is so stated on page 16 of Sir Henry Jenkyns' paper.

6107. (*Mr. Crawford.*) That note is not quite accurate, because the ground upon which the Corporation paid 315*l.* a year was that by one or two of the charters the shrievalty of the county of the City of London had been mixed up with the shrievalty of Middlesex, and therefore it might be taken that the Corporation was paying the fee farm rent in respect of both shrievalties; and, inasmuch as only the shrievalty of Middlesex had been taken away from the Corporation, the Consolidated Fund ought only to bear a portion, and the portion that was ultimately arranged to be charged was 175*l.*?—Well, the charter of John, of course, did class the two together, and although it is true that the City, at a much earlier period, elected the sheriffs of London, of course the right might have been taken from them and regranted for a consideration.

6108. (*Chairman.*) Although they have lost the shrievalty of Middlesex, they still elect two sheriffs for the City?—Of London, yes; who formerly, in practice, acted as the one sheriff of Middlesex.

6109. (*Mr. Crawford.*) You are aware, Mr. Kemp, that it would have been quite within the privilege and power of the livery to have elected other persons as sheriffs of Middlesex?—Yes. I said in practice the sheriffs of London did act together as the sheriff of Middlesex.

6110. As a matter of convenience?—Yes.

6111. (*Chairman.*) What is the ordinary administration of justice within the City?—The City is divided into two parts, and there are two Justice Rooms, one at the Mansion House, and the other at the Guildhall. The Lord Mayor commonly sits at the Mansion House, and the aldermen by rotation at the Guildhall; and sitting in these Justice Rooms they have practically all the powers of the Metropolitan Police magistrates.

6112. So far as regards the area of the City?—So far as regards the area of the City.

6113. (*Mr. Crawford.*) There is one point you had better correct, perhaps; I think you have gone a little wrong as to the division of the City, have you not?—I have corrected it here. If you have my present paper before you, you will see. I do not know when the change as to the division of the City took place; the other appears to have been the former division, the division into two districts, east and west, instead of north and south.

6114. (*Chairman.*) The court of Quarter Sessions of the City?—Is the court of the Lord Mayor and Aldermen; but it seems to be slightly differently constituted from the court of the Lord Mayor and Aldermen in the Inner Chamber, because it only requires—it is constituted by—the attendance of the Lord Mayor, the Recorder, and four Aldermen, whereas the court of the Lord Mayor and Aldermen in the Inner Chamber requires the presence of the Lord Mayor, or his *locum tenens*, and 12 Aldermen.

6115. Is the Recorder equal to eight men?—Well, I do not know, but it is rather a curious circumstance, because when you look at the Local Government Act of 1888, you find that although it was the Lord Mayor and Aldermen in the Inner Chamber that exercised nearly all the administrative functions of the justices in the City, there they are transferred to the Common Council from the Court of Quarter Sessions and Justices of the City of London, and therefore it struck me as rather peculiar that the two should not appear to be quite the same Court.

6116. (*Mr. Crawford.*) But the work of the Court of Quarter Sessions was never done in what was called the Inner Chamber of the Court of Aldermen, Mr. Kemp?—No, but the administrative business, which was transferred—that is what I say.

6117. That was under special directions under particular statutes, referring to explosives, petroleum and those matters?—Yes, but what I say is, if you look at section 41, sub-section 1, of the Local Government Act, all those powers are transferred from the Court of Quarter Sessions and Justices of the City of London.

6118. Omitting the Inner Court of Aldermen?—No, describing them.

6119. What are the functions of the Inner Court of Aldermen?—Well, they exercised all the administrative——

6120. You have not gone far enough. Turn to section 100, which is the Definition Clause, and you will see what the term "Quarter Sessions" includes?—I have not the slightest doubt.

6121. This is the explanation. The draughtsman of the Act, for brevity's sake, has used the term "Quarter Sessions," and then he relies upon his Definition Clause as to what he includes in "Quarter Sessions"?—Yes; he says "and as respects the City of London" it means "the Court of the Mayor and "Aldermen in the Inner Chamber." That must have been, I presume, because the draughtsman assumed that they were the same thing. I do not suppose that he would call it by a name——

6122. I am afraid the draughtsman had not the full knowledge that you now have.

6123. (*Chairman.*) There is no lord lieutenant of the City?—No, the lieutenancy of the City of London

is in Commission. The Lord Mayor is the head of the Commission, and I think it is the outgoing Lord Mayor who has the right to insert names in the Commission. The City of London Militia is now a battalion of the Royal Fusiliers, the City of London regiment. The Commissioners of Lieutenancy levy the Trophy Tax, which is levied, I think, not every year, but once in three years, for the costs which they are empowered to incur, the costs of the City Militia.

6124. Then there is a somewhat peculiar court, the Central Criminal Court?—The Central Criminal Court takes the place of the assizes for London and Middlesex, and some portions of Surrey, Essex, and Kent, and there is a permanent commission, a standing commission, and the Court sits every month. The judges include the Lord Mayor and the Aldermen of the City of London,* the Recorder, the Common Serjeant, the Judge of the City of London Court, the Judges of the Supreme Court, and such other persons whose names are put on the Commission, who have been Lord Chancellor, or a judge of any of the Superior Courts, or any other persons whose names are put on the Commission. The Central Criminal Court district is, for the purposes of the Court, a county.

6125. (*Lord Farrer.*) What is the district?—It includes the whole of Middlesex, the county of London and nine parishes in Essex, Mottingham in Kent, and Merton, Mortlake, Kew, Richmond, and Wimbledon, in Surrey.

6126. It corresponds to no other municipal division?—It corresponds to no other area.

6127. (*Chairman.*) Then under certain statutes prisoners could be tried at that Court for offences committed outside that area?—Yes. If it is thought that from local feeling or other causes they are not likely to obtain a fair trial where the offence was committed, the case may be removed to the Central Criminal Court by *certiorari*.

6128. (*Mr. Crawford.*) That is under Palmer's Act, is it not?—That is under 19 & 20 Vict. c. 16.

6129. Yes, it is commonly called Palmer's Act.

6130. (*Chairman.*) Then there is another Act?—Yes; also "Any person out of the jurisdiction of the "Central Criminal Court who is accused of committing "murder or manslaughter in England or Wales, and "is at the time subject to the Mutiny Act" may be tried at the Central Criminal Court.

6131. (*Lord Farrer.*) There is also a winter assize?—There is also a winter assize.

6132. (*Mr. Crawford.*) And offences on the high seas?—The whole criminal jurisdiction of the Court of Admiralty was transferred to this Court.

6133. There is one little mistake you may find it convenient to correct. On page 72 of your statement you refer to Quarter Sessions. You say: "The power "of this Court was taken away by section 17 of the "Central Criminal Court Act, 1834, in cases of "felony, and misdemeanours partaking of the nature "of felony." I do not know whether you have made the correction?—I have made the correction in the case of the Central Criminal Court. I have made it here also.

6134. Well, I was reading from your first statement on page 8, in which you state the power had been taken away, and I was going to call your attention to the fact that section 17 had been repealed, so that that power still remains with the City Quarter Sessions of trying felony cases?—I corrected it from your statement. I had omitted that this section was repealed by 14 & 15 Vict. c. 55. But in practice criminal cases within the City are tried at the Central Criminal Court.

6135. The prisoners are committed to the Central Criminal Court on the ground of convenience?—Yes.

6136. (*Chairman.*) As respects the administrative powers of justices, they differ in counties and in boroughs, and in counties in general, from those of the county of London, especially in respect to police?—Yes, the county and the borough justices differ both as regards the manner of their appointment, and the nature of their qualification, and the extent of their powers. In the case of boroughs, they are appointed by the Lord Chancellor on the recommendation of the Home Secretary; in the case of counties, they are appointed by the Lord Chancellor on the recommendation of the Lord Lieutenant.

6137. Does the Home Secretary recommend?—Well, the moment I read it I began to have doubts, but I took that from what at the time I regarded as an authoritative source.

6138. (*Mr. Smith.*) In ordinary boroughs?—I thought so.

6139. (*Chairman.*) It rests with the Home Secretary whether a separate commission of the peace shall issue for the borough; but the recommendation of members of that Commission I do not think rests with him. You had better look into that point?—I give it on the authority of Sir William Anson's Law and Custom of the Constitution; but it may not be right.

6140. My experience is that the practice is not so.

6141. (*Lord Farrer.*) Mr. Kenneth Mackenzie would tell us in a minute.

6142. (*Chairman.*) As to the difference in their administrative powers?—In counties, most of the administrative powers of justices have been transferred to the County Councils; but the justices still administer the laws which relate to the licensing of places for the sale of intoxicating liquors, and jointly with the County Council they fix the numbers and rates of pay of the county police, and appoint the chief constable? The powers with regard to the police do not, of course, apply to the county of London. In boroughs the justices have the same powers as regards licensing, but the police are appointed and managed by the Watch Committee appointed by the council of the borough.

6143. In both cases there is a little check on the part of the central government?—As regards the police?

6144. Yes?—Yes, the powers are local both in the county and in the borough.

6145. Are what?—Are locally exercised.

6146. Yes; but I mean unless exercised somewhat to the satisfaction of the Home Secretary they do not get the money?—Yes, he can withold the contribution. But then since the Act of 1888, that must be to some extent altered, because the police are paid out of the Exchequer Contribution which goes to the County Council.

6147. (*Mr. Smith.*) Yes, on the certificate of efficiency; and it is provided that it shall be given before the money is found. But the certificate of efficiency itself is no check on appointment; if a man is efficient there is no other check on his appointment?—No.

6148. It is the general efficiency of the police as certified by the constabulary inspector?—Yes.

6149. (*Mr. Crawford.*) It says here in your statement, the justices and the County Council jointly fix the numbers and the rates of pay of the county police?—Yes, I think to this extent, that the report as to efficiency might contain a statement that the numbers were insufficient, and therefore might prevent the certificate from being given. To that extent, I suppose, the certificate has something to do with it.

6150. (*Mr. Smith.*) Yes; the efficiency of the force is a very general term. It would bring in the question of numbers?—At Quarter Sessions there is a difference in the powers of the county and borough justices, for the county justices sit as a bench and try, whereas in the borough the recorder is sole judge of the court of Quarter Sessions in criminal matters.

6151. (*Chairman.*) There is some exception to that, is there not, quoted, I see, in Sir Henry Jenkyns' paper, in the case of a borough with separate quarter sessions,

* *See also* Fulton, 7498.

Mr. J. Kemp.

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without a recorder?—If it is so, I think the criminal jurisdiction in that case will probably be exercised by the county.

6152. Haverfordwest—at page 11?—Haverfordwest? There is no recorder, and the justices continue to act in quarter sessions.

6153. (*Mr. Crawford.*) Perhaps they cannot get one?—Haverfordwest seems to be in an anomalous position.

6154. (*Lord Farrer.*) It is quite a small town, is it not?

6155. (*Chairman.*) It is a county.

6156. (*Mr. Smith.*) The recorder's salary would probably be 10*l.* a year, which would have to be spent in travelling expenses?—There was one small point which I omitted that I meant to refer to at starting. It was the question about the abolition of the Court of Hustings. I mentioned that two Bills had been introduced by the City.* I have not been able to see them, because we do not keep local Bills at Lincoln's Inn that have not been publicly printed; but I referred to the introduction to the book upon the Calendar of Wills, and it gives a fuller account of these Bills than I had abstracted. From it I gather that they really were introduced for the purpose of abolishing the Court of Hustings, and transferring the jurisdiction to the Mayor's Court.

6157. (*Mr. Crawford.*) Is that the work edited by Dr. Sharp?—Yes, I tried to get a copy of it to bring down, but I could not.

The witness withdrew.

Mr. G. L. Gomme.

Mr. George Laurence Gomme, Statistical Officer of the London County Council, recalled and further examined.

6158. There are one or two corrections I have to make and some additional information, sir.

6158*a*. (*Mr. Crawford.*) Is it in the evidence or in the statement?—It is in the evidence and in my statement, sir.

6159. What day were you examined, can you tell us? The tenth and eleventh days. The first point arises out of the examination on page vi. of the statement.

6160. (*Chairman.*) What page is it?—Page vi. I wish to add a footnote to explain what would be the effect of the purchase of property for beneficial purposes; that arose out of Mr. Crawford's remarks as to the character of the purchases which I have put down as investments.* The footnote that I propose to add is: "In cases where the purchase of property is "not a beneficial purpose, it cannot in strictness be "considered an investment. The amounts coming "under this head in each year would then be a part "of the expenditure and would correspondingly "increase the revenue deficits (page ii.), and would "form a part of the exceptional expenditure tabulated "above on this page (vi.)." It is just an explanatory note on that point, sir. Then on page xiii.

6161. (*Mr. Crawford.*) Roman numerals?—Roman still, sir; yes.† I add a footnote to explain the aldermen's expenses in connexion with donations in these words: "This is the heading of the account suggested "by the evidence before the Commissioners of 1854. "The amount yearly expended by the Court of Alder-"men does not in recent years include any item "for widows and orphans of deceased aldermen, but "is wholly applied to freemen." I think that meets Mr. Crawford's point. Then on page xiv. I insert a foot-note giving details of the receipts in aid, as requested by the Chairman of the Commission, under class (*a*) of the table.‡ I give the details of this under the several heads as a footnote to that page. On page xxii. Mr. Crawford raised the question as to the character of the capital expenditure there set out at the bottom of the page,§ and in a footnote I have described it for each year, distinguishing the capital expenditure for the new markets, and the capital expenditure for the old markets.

6162. By the new markets you mean?—The fish market in 1889, "5,998*l.* 6*s.* 9*d.*, for new fish market "and 7,000*l.* for works in poultry and provision "section, in 1890, 13,090*l.* 1*s.* 7*d.* for new fruit and "vegetable market, and 6,158*l.* 8*s.* 4*d.* for works in "poultry and provision section."

6163. (*Mr. Smith.*) These are things that you propose to put in another print?—Yes; these are things I propose to put in another print.

6164. They are not in at present?—They are not in at present. And then there is a small correction, the figure for 1890 I have quoted at 19,248*l.* 17*s.* 11*d.*, should be 19,248*l.* 9*s.* 11*d.*; it is a small clerical error. On page xxvi. I was asked a question as to the way in which the deficiencies from the Coal Market were made up,† and I add this footnote to explain that:—"In 1889 the Coal Market began with a "balance of 3,923*l.* 11*s.* 1*d.*, out of which the de-"ficiencies of the last three years have been met, "leaving a balance of 2,874*l.* 4*s.* 2*d.* at the end of "1892." That just explains that point that arose here. On page xxix.‡ I add a footnote to the entry of St. Paul's Churchyard, explaining that this expenditure is incurred under the City Open Spaces Act of 1878.

6165. (*Mr. Crawford.*) Yes, I drew your attention to that?—Yes, Mr. Crawford drew my attention to that. Then on page xxxiv I propose to add a footnote to explain the reason why I adopt the 43,836*l.* as the estimate of debt falling upon the City estates.§

6166. (*Mr. Crawford.*) Where do we find that figure, Mr. Gomme?—In the middle of the paragraph on page xxxiv. The annuity for 30 years amounts to 43,836*l.*, and then that figure, 43,836*l.*, is used at the bottom of the table to bring out——

6167. The estimated charge deducted?—Yes. This is the footnote. "This is simply the annuity to meet "an estimated present debt of 859,202*l.* The different "dates at which the several loans are payable are not "taken into account, because if the estimate is made "upon minute details as to the present value of the "estimated debt, other considerations which were not "thought necessary to bring into the estimate must "be taken count of. It may be stated, however, "that the three principal of these considerations are "(1) a loan to replace the exceptional items removed "from annual expenditure (see page vii); (2) provision "for capital expenditure on the markets, (*see* p. xxii.); "and (3) the repayment of the Metropolitan Cattle "Market loan within the period now arranged for, "namely, 10 years, instead of extending this loan to "30 years, because, being for market purposes, and "borrowed so far back as 1852–5 and 1873–6, it has "already extended far beyond its proper limits. The "calculations on the present value of the estimated "debt work out the annuity at 35,974*l.*; or together "with the first and third of the above-named additional "items, the annuity would be 44,453*l.* for the first 10 "years and 35,043*l.* for the last 20 years, instead of "43,836*l.*, the amount used as the estimate for the "entire 30 years. To the 35,043*l.* would then have "to be added the expenses of maintenance of parks "and open spaces which would fall on the general "estates after 1902, amounting to 4,900*l.* As these "several adjustments make the yearly figure nearly "equal to the 43,836*l.* and as it is difficult to estimate "the non-productive capital expenditure which may

* *See* Gomme, 3651–67.
† *See* Gomme, 3739–50.
‡ *See* Gomme, 3738, 4104–17.
§ *See* Gomme, 3900.

* *See* Kemp, 4717–27.
† *See* Gomme, 3982–6.
‡ *See* Gomme, 4074–6.
§ *See* Gomme, 4101.

" be required for markets during the next 30 years, " it was thought best to leave the estimate for loans " falling upon the general estimates at the annuity " necessary to meet an estimated present debt of " 859,202*l.*" This note is simply to explain why I did not take into account the varying dates at which the loans were really due according to the tables. Then on page xxxvi. the total expenditure of the first table, I refer to as agreeing with pages 36 and 37, and in my evidence I mentioned that there was a slight difference there arising from my method of treatment.* It makes no difference to the final calculations. It has refereuce to the sinking fund on the Royal Exchange loan, which I had not included among the ordinary expenditure of the year. I have now inserted that in its proper place, as a part of the expenditure of the year 1892, and certain consequential alterations arise out of that which make these figures correct. It makes no alteration, finally, in the figures, but it simply puts tbe figures on the same basis for each year. Then the paragraph at the end of page xxxvi I read slightly differently; there was some expression by the Commission that that should be re-worded.† The wording was, "the expenditure met by its own earnings," and I think the proper wording would be, "that portion of the expenditure " which is met by its own earnings." Then on page xxxix the figure opposite the Royal Exchange becomes altered in consequence of the alteration in the method I have already mentioned. On page xxxviii I was asked about the Establishment expenses there for the City purposes, if they were wholly for the City, and I would modify the reply I gave to the Commission to this question to this extent ;‡ I would say some part would probably not be incurred by the City if separated from all other expenditure. But then the amount thus released would be used for other City purposes; it would not affect the figures, but it is just possible some Establishment expenditure, if separate from the other, might not be continued. Then, on page xl, I correct two clerical errors pointed out by the Chairman of the Commission on the first table, there ; they did not agree, if you remember, sir.§

6168. (*Chairman.*) Yes?—And the second table on the same page is altered to include the correction on the Royal Exchange loan still continuing correction noted above. Then on page xli the Commission asked me to add a note explaining the charge for debt there inserted, that is 40,974*l.* to 41,078*l.* I think Lord Farrer requested that information.|| I have added a footnote explaining how that figure is made up. In working this out, I find I had deducted the wrong amount, so I have had to correct that figure. It now stands instead of 40,974*l.* the first year as 35,317*l.*, and instead of 41,088*l.*, the second and third years it stands at 35,431*l.* and for the last year it stands at 35,693*l.* 10*s.* The details of those I give in a footnote. The result of these corrections is that I commence with the same figure as the estimated charge for debt 43,836*l.*, but there is a larger deduction to be made from it in consequence of some of the charges being already included in the expenditure.

6168*a*. Does it affect the totals?—It does not affect the totals to any appreciable extent. I will explain that when I come to the totals in the end; it really does not make any vital correction to the total. Then I bring forward those corrected figures at page xliii; on this page I omitted to charge the extra cost which will fall very shortly upon the Bridge House Estates for the maintenance of the Tower Bridge ;* it is put in the evidence of the City at 6,000*l.* a year; that of course will come out of the Bridge House Estates, and inasmuch as I bring forward the unapplied balance of the Bridge House Estates, of course it is quite proper to charge the future receipts with the new charge, and making the correction that I have just now referred to on page xli, the balance at the end of the year instead of being 6,639*l.* 13*s.* 2*d.* will be 6,296*l.* 13*s.* 2*d.* in 1889; 20,651*l.* 1*s.* 7*d.* will be 20,308*l.* 1*s.* 7*d.* in 1890; minus 7,070*l.* 0*s.* 3*d.* will be minus 7,413*l.* 0*s.* 3*d.* in 1891; and minus 2,927*l.* 3*s.* 7*d.* will be minus 3,532*l.* 13*s.* 7*d.*

6169. On page xliv I give a table, in obedience to the wish of the Commission, of the scholarships of the City of London School.† I have taken that out giving the names of the scholarships, the amount of the endowment in stock, and the payment in each of the four years in respect of each scholarship, that will go in as an addition to page xliv.

6170. (*Mr. Crawford.*) That you have extracted from the City Accounts?—That I have extracted from the City Accounts; it is given very fully there; then I put in as continuing page 46 at the end of the book altogether,——

6171. (*Chairman.*) Arabic 46?—Arabic 46,—a statement of the way in which loans were renewed by the City, that will come in as pages 47 to 49, a new statement altogether. I handed that in in manuscript at the last meeting of the Commission.

6172. (*Chairman.*) Yes?—Then, on what will be page 50, I wish to add a table of corrections. There are some items of the expenditure given in the analysis which, though they do not affect the totals in the slightest degree, nor do they affect any argument that has been used, still, for the purpose of being correct, I should like to put that in as table of corrections. One or two items are included under a head of the analysis in one year which are not so included in the same way in other years; so for the purpose of making them absolutely correct, I should like to put that table of corrections in. I do not propose to make the corresponding corrections throughout because they really do not serve any important purpose. Then with the index to the book the whole thing is complete.

6173. (*Mr. Crawford.*) That will really be reprinted, then?—That will be reprinted, with these additional notes and corrections.

6174. (*Chairman.*) We shall have a revised edition brought out?—A revised edition.

The witness withdrew.

Mr. W. H. Dickinson recalled.

6175. (*Mr. Dickinson.*) We take it that you permit these alterations to be made, and we will supply you with new copies immediately?

6176. (*Chairman.*) Yes.

6177. (*Mr. Dickinson.*) We let you have 20 copies, Mr. Crawford, of the first edition; perhaps you will let us have them back?

6178. (*Mr. Crawford.*) They have been distributed, but I will endeavour to have them collected for you, and you will have them back.

6179. (*Chairman.*) You had better, perhaps, put in a very prominent form, on the outer page, " 2nd edition," or " revised edition," so that there will be no possibility of referring to an old copy.

6180. (*Lord Farrer.*) With the date.

6181. (*Mr. Crawford.*) Your second statement was a revised second statement.

6182. (*Mr. Dickinson.*) Yes.

* *See* Gomme, 4177.
† *See* Gomme, 4152–72.
‡ *See* Gomme, 4205 sqq.
§ *See* Gomme, 4271–3.
|| *See* Gomme, 4312–6.

* *See* Gomme, 4331.
† *See* Gomme, 4382–7.

Mr. W. H. Dickinson.
14 Dec. 1893.

6183. (*Mr. Smith.*) Might I ask, with reference to a promise, that I think Mr. Charles Harrison made, and very excusably forgot, owing to his illness, that we might be furnished with a few of these copies of the maps?—I have got one, but it is a very blurred and indistinct copy.

6184. (*Mr. Dickinson.*) I understood you had been supplied with them. This one has been made by hand. I think there was some difficulty about getting the map of a proper size that would show it. We will send you one, at any rate.

(*Room cleared.*)

(Adjourned till Wednesday next at 11.30 A.M.)

FIFTEENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Wednesday, 20th December 1893.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, Secretary.

SIR JOHN MONCKTON, Town Clerk of the City of London, re-called and further examined.

Sir J. Monckton.
20 Dec. 1893.

6189. (*Secretary.*) To the last letter which I read I have received a reply from the Town Clerk, dated the 18th inst., a copy of which has already been sent to the members of the Commission.

6190. (*Mr. Crawford.*) I think it would be desirable to have that letter upon the notes.

6191. (*Chairman.*) Oh, certainly, but I think we will reserve it. Sir John Monckton, we understand that naturally you are very busy to-morrow, and very busy to-day in relation to your work to-morrow, and you would be glad to be relieved from attendance here as early as possible?—Yes.

6192. You are aware probably that we have had under examination a body of evidence covering to a large extent the same ground as your Blue Book in explanation of the City and its functions in respect of the law courts and trusts and many other matters. It may not be necessary, therefore, to go in great detail over this book, inasmuch as we have had evidence very much to the same effect, and the matter is really not contentious, being historical and descriptive. If you have had any opportunity of seeing that evidence, and desire to make any corrections or to give any supplementary evidence in relation thereto we shall be glad to receive it, otherwise I propose that we should go lightly over this book to-day?—I have not had an opportunity of going into detail.

6193. Well, you can have it and consider it between this and the next meeting; otherwise I think we shall go lightly over your evidence to-day. And with respect to the letter which you have communicated to our secretary, although we have all, I think, seen it individually—I have seen it—we have had no opportunity of conferring about it together, and we shall consider it a little later in the day and a reply shall be sent.

6194. (*Mr. Crawford.*) May I mention that the Corporation has had no opportunity of seeing Mr. Kemp's statement. You will remember that I asked that copies might be supplied, but Lord Farrer thought they should not be given until the Corporation had come to some decision; therefore, it might be desirable that the copies should now be supplied, together with copies of Mr. Kemp's evidence, if the Commissioners would kindly express an opinion upon that. It is impossible for Sir John to form an opinion until he has read the statement, and also the evidence in support of it?

6195. (*Chairman.*) Yes.

6196. (*Mr. Crawford.*) May that be done, Mr. Chairman?

6197. (*Mr. Smith.*) The City having determined to go on, there would be no objection to supplying these documents.

6198. (*Lord Farrer.*) I think not. Mr. Dickinson, do you see any objection to that being done?

6199. (*Mr. Dickinson.*) I beg your pardon.

6200. (*Chairman.*) Do you see any objection to the City being supplied with the documentary evidence you have put in relative to the City, and the report of Mr. Kemp's evidence?

6201. (*Mr. Dickinson.*) None whatever, sir, it will be done in two or three days, two days, I think.

6202. (*Mr. Crawford.*) Thank you.

6203. (*Chairman.*) I think we had got as far as the commencement of the Court of Common Council?—I think we had got as far as the commencement of the Court of Common Council.

6204. (*Lord Farrer.*) What page?—34, I think.

6205. (*Chairman.*) We have had evidence from more than one quarter as to this already. You may, perhaps, briefly state who are the present electors of the Court of Common Council?—"The qualifications "entitling a person to vote at an election of Common "Councilman are fixed by the City of London "Municipal Elections (Amendment) Act, 1867 "(30 Vict., cap. i), sections 2, 3, and 4, which are "as follows:—(Section 2.) 'At every election for "'(*inter alios*) Common Councilman for any Ward "'in the said City, every male person of full age "'not subject to any legal incapacity, who shall for "'a period of not less than 12 months previous to the "'first day of December in any year have been in the "'occupation within the said City or the liberties "'thereof, either solely or jointly with any other "'person or persons, of any house, warehouse, "'counting-house, office, chambers, or shop, or other "'building, and shall in the case of a sole occupa-"'tion be rated in respect of such premises in "'his own name to an amount not less than 10*l.* "'per annum, or in the case of a joint occupation, "'be rated in the joint names of the occupiers to "'an amount which, when divided by the number "'of occupiers, will give a sum of not less than 10*l.* "'per annum for each of such occupiers, to the "'police or any other rate, subject to the provisions "'of this Act, shall be entitled to vote in any such "'election for Common Councilman in the ward in "'which such premises shall be situate.' (Section "3.) 'At every such election every person on the "'register of voters for the City of London, in use

" ' at elections for members to serve in Parliament, " ' and then in force, in respect of the occupation of " ' any house, warehouse, counting house, shop, office, " ' chambers, or other building, subject to the pro- " ' visions herein-after contained, shall be entitled to " ' vote in any such election for (*inter alia*) Common " ' Councilman in the ward in which such premises " ' shall be situate.' (Section 4.) ' At every such " ' election every person, who if he had resided " ' within the City of London or the liberties " ' thereof, or within any distance therefrom pre- " ' scribed by law, would have been entitled to have " ' been on the register of voters for the City of " ' London for use at elections for members to serve in " ' Parliament, in respect of the occupation of any " ' house, warehouse, counting-house, office, chambers, " ' shop, or other building, but who may be ex- " ' cluded from such register by non-residence, shall " ' subject to the provisions herein-after contained, " ' be entitled to vote in every such election (*inter* " ' *alia*) for Common Councilman in the Ward in " ' which the premises for which he would have been " ' so entitled to be on the register shall be situate.' "

6206. There was apparently no interference with any former qualification for electors; this was cumulative?—This was cumulative; the former customary qualifications remained.

6207. Is a list kept of all who are qualified in any way?—Of all who are qualified in any way.

6208. Whether under this last statute or under former customs?—Yes.

6209. And what proportion or what number are left out, not included in this last description of qualifications?—I cannot possibly say; I should say very few indeed.

6210. The mass of electors are included in the definitions you have given us?—The fact is, a 10*l.* rating in the City is a very small rating, in fact, one might fairly remark there, that take the whole of the City through, I should say the average rating would be nearer 30*l.* than 10*l.*, in some cases, of course, it is enormously larger.

6211. (*Lord Farrer.*) Does the 10*l.* qualification still remain?—It still remains.

6212. What is the effect of section 3 which says that "every person on the register of voters for the " City of London, in use at elections for members to " serve in Parliament, and then in force, in respect of " the occupation of any house" may vote,—which makes that a qualification, has that a retrospective action in doing away with the 10*l.* qualification?—No, I think not; it is cumulative, as the Chairman said.

6213. (*Mr. Smith.*) I suppose, practically, Sir John, there are very few people rated at less than 10*l.* in the City?—I should say practically none; even in the most remote part of the City, I do not think it can be so.

6214. (*Lord Farrer.*) So that the abolition of the 10*l.* qualification would make practically no difference?—Practically none.

6215. (*Mr. Smith.*) All I wanted to ask was—I suppose, you have nominations for the elections of the Court of Common Council—you have some means of telling before the election the number of persons nominated?—Not before the nomination meeting on Saint Thomas's Day.

6216. Oh, not before?—Except the accidental announcement, which, of course, every man puts out to advertise himself, but it is quite open to any man to be nominated, if he is duly qualified, on the election morning without any previous intimation.

6217. How soon does the election take place?—The polling, next day.

6218. The next day; what I wanted to know was, whether you had any means of knowing, without disclosing any secret which you have in your capacity of returning officer?—No.

6219. Is there generally much change in the representation, have you many candidates?—The change is not usually great; out of the 29 wards and sides of wards this year in about 25 there will be no change at all; in about four wards, owing mainly to deaths—well, one or two retirements and two or three deaths—there are more candidates springing up than the vacancies would absolutely require, so that probably there will be a polling.

6220. But what we should call in ordinary boroughs contests are not common?—Are not common. You see the elections are annual, and that rather accounts for it.

6221. (*Mr. Crawford.*) And the elections are not fought on political grounds?—The elections in the City are never, and never have been, to my knowledge, fought on political grounds in the slightest degree.

6222. (*Chairman.*) There are contests in comparatively few wards?—Very few.

6223. And where there is a contest in a ward, it generally happens that the bulk of the retiring Councilmen, if they stand again, are re-elected?—Yes; for this reason. There would probably only be one or two new candidates, perhaps two candidates for one vacancy, and even if the two come in only one old member would go out. It is an unknown thing for the bulk of the members of a ward to be unseated, because, as has been remarked by Mr. Crawford, politics never enter into the consideration of the electors in City elections, absolutely never.

6224. If there are 10 places to be filled, it would be a very remarkable case to have 15 candidates?—Oh, very; almost unheard of.

6225. Most probably not more than 12 or 13?—12 at the outside, as a rule.

6226. (*Mr. Smith.*) Contests generally arise, I think you said, on death or retirement?—Death or retirement. It is very seldom, of course it does occasionally happen but very seldom indeed, that there is a desire to turn out anybody who is in by reason of any particular question that is agitating the public mind.

6227. (*Chairman.*) But there may be other reasons, personal or what not: there is sometimes a run against one man?—So very rarely, that I cannot call to mind one; there may be; it is possible there may be on the present occasion.

6228. And the wardmotes are held exactly like the old Parliamentary elections were; any person can appear on the hustings and propose a candidate. If there are more proposed than are to be elected there is a poll next day?—Then the Alderman who presides calls for a poll next day.

6229. (*Mr. Crawford.*) That takes place under the City of London Ballot Act?—That takes place under the City of London Ballot Act.

6230. (*Mr. Holt.*) What is the distance that a non-resident may reside from the City and retain his vote, at what distance may he reside from the City and retain his qualification?—In municipal elections that does not come in at all.

6231. Any distance?—Anywhere he likes, provided he comes in this rating category, "of any house, " warehouse, counting-house, shop, office, chambers, " or other building."

6232. (*Lord Farrer.*) If he has a counting-house he may live out in the country or in Scotland?—He may live anywhere he pleases, provided he has this beneficial occupation.

6233. (*Chairman.*) He must be an occupier?—An occupier. It will be seen later on in the book that the municipal electors have increased since 1852 from 5,903 to 29,337. That you find at page 326.

6234. Do women vote in these ward elections?—No.

6235. Has that question ever been raised?—I think it has never been raised, I am not aware that it ever has.

6236. I see in Section 2 of that last Act to which you referred it runs, "every male person"?—Yes, "every male person of full age."

6237. Sections 3 and 4?—"Every person."

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6238. Every person who has those qualifications would be a parliamentary elector?—It was intended to follow the parliamentary franchise.

6239. But in the old scot-and-lot franchises are there any restrictions; there are freewomen as well as freemen?—Yes, in ward elections for beadles, I think they might vote; I am not aware that they cannot.

6240. You are not aware of any disqualification?—No; they must be freemen householders, you know, and a woman may be a freeman. I believe the Baroness Burdett Coutts is a freewoman.

6241. (*Mr. Smith.*) Might a woman be an alderman, Sir John?—An alderwoman?

6242. I am not surprised at your hesitating, because I have been puzzled whether they might or not?—I am not aware.

6243. (*Lord Farrer.*) You are not aware whether any woman has been an alderwoman or not?—No, I think not. Indeed I am sure not.

6244. (*Mr. Smith.*) I do not think there is anything to prevent it?—I am not aware.

6245. (*Mr. Crawford.*) Except when you look at 12 & 13 Vict. c. 94., the qualification of Common Councilmen. It says there "every man"?—Yes, but I take it that a woman who has been admitted to the freedom would be included in that.

6246. (*Mr. Smith.*) He has just said that a woman might be a freeman?—Being a devoted advocate for the enfranchisement of women in every sense, I should certainly take great interest in looking it up.

6247. (*Mr. Crawford.*) If you read the disqualifying section too, I think you will find the true construction of the Act would contemplate only males and not females?—Very likely, but males sometimes include females.

6248. You have told us that politics never enter into the question of elections; may I take it that that answer will also apply to the Court of Common Council itself, are there what are known as "sides" in the Court of Common Council?—Political?

6249. Yes?—Certainly not; I do not think that anybody knows—I certainly do not—the politics of one-half of the Court.

6250. (*Chairman.*) You said political, what other sides?—Well, there may be local politics, and the Corporation might be divided, for the moment, by what may be termed market questions, or other matters with regard, say, to asphalt against wood paving.

6251. (*Mr. Crawford.*) That is not politics; these are local matters?—These are the City politics.

6252. (*Chairman.*) Every question that turns up would divide the Common Council differently?—Yes; such as the question of giving evidence before this Royal Commission, which the other day divided them very evenly indeed.

6253. There is no organisation of parties?—No organisation of parties, I should say, no organisation involving whips or anything of that sort.

6254. Is there any organisation for or against the livery companies?—For or against their existence?

6255. I will not say for or against their existence, but is there a party desirous of curbing or restraining their powers?—No, I should think not at all; I do not think there is any combination; in fact, I am sure there is no combination of individuals in the Court of Common Council that may be relied upon at any time for any purpose. I think each question is dealt with according to the opinions of individuals which vary from time to time, and in that sense I should claim for it that was a pattern Corporation.

6256. Forty is the customary quorum of your Court of Common Council?—Yes, 40.

6257. And amongst the 40 there must be the Lord Mayor and a couple of Aldermen?—The Lord Mayor or his *locum tenens* and two Aldermen must be present.

6258. (*Lord Farrer.*) When was the number of the Common Council determined, does that go back a pretty long way?—Yes; I think we must call it customary.

6259. Did you tell us what the whole number of voters is on that list?—Page 326. I think 29,000; there is a table given, 29,337.

6260. (*Chairman.*) You have a certain number of standing orders?—Yes.

6261. I see that the first among them announces that the election of officers shall be at the second Court after St. Thomas's Day?—Yes.

6262. I suppose the first Court is occupied with the verification of returns?—No; the first Court is occupied with the election of committees; the returns are handed in to the Court of Aldermen, held on Plow Monday, and if there are any petitions or appeals they are notified then. The first Court is occupied very largely with the appointment of committees for the ensuing year, and such business as may be remaining over.

6263. What is the interval between St. Thomas's Day and the first Court?—St. Thomas's Day is the 21st December, the first Court is about the middle of January; it is on a convenient Thursday; it may be the 14th, 15th or 16th.

6264. (*Mr. Crawford.*) It is the 18th this year?—It is the 18th this year, but it is always the Thursday in that week.

6265. (*Chairman.*) And during that month the Court of Common Council is without many of its most important officers?—Not officers; the officers are not then elected; the officers are annually elected until the second Court in the next year, when they are re-elected.

6266. They retain office?—The officers do not go out; they retain office until the day of re-election.

6267. Among the other orders I see one that no resolution of the Court shall be rescinded or altered unless such rescinding or alteration be determined on by a majority consisting of two-thirds of those then present and voting?—That is so.

6268. Does that mean for ever and ever, or after a certain time could a bare majority rescind a previous order?—There is no limit as to time at all.

6269. Would it be necessary to get a two-thirds majority to rescind an order made 10 years ago?—Undoubtedly under this order, unless this order were suspended.

6270. Has it ever provoked any inconvenience?—Not up to now, certainly.

6271. It has never been the case?—It is a comparatively new order. Yes, I should think it is not 10 years old; it has been passed in my time.

6272. What provoked it?—I do not know any particular incident, but I suppose it was found inconvenient, and I think it was on something being rescinded at a later Court by a possible accidental majority of one. I have no doubt if I searched I could find there was some salient reason, and the Court thought that something arrived at after due debate and consideration should not be upset by a vote being snatched.

6273. It is desirable that it should not be open to revision within a certain time, unless a large majority desired it, and in no case without notice; but if after considerable interval notice were given and it were found—— ?—In no case would it be possible to have a motion without notice.

6274. (*Lord Farrer.*) No resolution would be passed without notice?—No; except with leave of the Court. Occasionally a member may move for leave to bring forward a resolution without notice, and if the Court saw fit it might give it.

6275. They might give it them?—They might give it them.

6276. (*Mr. Crawford.*) Standing Order 28 relates to the giving of notice.

6277. (*Lord Farrer.*) With regard to amendments; because an amendment is often as important as the original motion?—It is, but there is no doubt that the ordinary rules of debate are so far followed that an amendment may be moved after a resolution, and without any notice.

6278. Without any notice?—As your Lordship says, it is sometimes the case that an amendment is

immensely important; still, the ordinary right of members——

6279. (*Chairman.*) But the Court would have notice that a particular subject was coming on?—Oh yes, undoubtedly.

6280. Although the particular method of treating that subject might be started at the meeting?—Might be started by an amendment.

6281. (*Lord Farrer.*) And it would rest, I suppose, with the Chairman to decide whether an amendment was so outside, or beyond, the purport of the original motion as to be out of order?—Absolutely—most absolutely—that would be for the Lord Mayor to decide.

6282. And if it was proposed, for instance, to turn some specific proposal into a general proposal, or to move something that would thoroughly alter the character of the original motion, he probably would take that point and refuse to put it?—It is possible. He would be advised by those who are there to advise him, and, after due consideration, would decide whether the amendment was a good one or a bad one.

6283. Very difficult questions arise sometimes upon amendments?—Oh, very indeed; in fact, the law of debate is one that takes a lifetime to study. In my own case, I have grounded it upon a very careful study of May's Parliamentary Practice, which, to a very great extent, would rule other debating bodies, although not entirely, of course.

6284. But this Standing Order 29 makes it supremely important that nothing should be passed too hastily, does it not?—Undoubtedly.

6285. (*Mr. Smith.*) Have you anything corresponding to the notice, or agenda paper, that is sent out in most municipal corporations previous to the meeting of the Court?—Oh, yes; the agenda paper—the summons for the Court,—is a very important document, prepared in great detail, and submitted to the Lord Mayor for his perusal and initialling before it is printed and sent out; and it has to be sent out to members three days before the Court.

6286. What I wanted to ascertain was, having such a document, whether it would be possible for a member to ask leave of the Court to introduce at the Court some matter not mentioned on the agenda paper?—It is possible, and it is occasionally done.

6287. And on that a resolution might be passed?—And on that a resolution might be passed. To give you an instance, a few years ago a great calamity—I forget what it was now—occurred, and a member asked leave to introduce a motion that the Court should make a grant to a fund for the relief of the sufferers from the calamity; and there was not going to be another Court for some time. I think it was just before the vacation. The Court thought it was a very fit thing to bring forward; leave was given, and the vote was passed. But the Court is very slow to give leave if it does not appear that it is a matter, not only of reasonable urgency, but also a matter the non-notice of which would not be of vast importance.

6288. Of course, you know that in an ordinary Corporation borough it would be illegal to pass any such resolution; I only wanted to know what your practice was?—Oh, yes; you are speaking now of a money debate, are you?

6289. No, I am speaking of any important resolution, notice of which was not given on the agenda paper?—Yes.

6290. You see you cannot, by the Municipal Corporations Act, transact any business except what is fairly brought within the purview of the subjects mentioned on the notice paper?—Yes, I am aware of that.

6291. (*Chairman.*) You have strict orders as to notices of votes of money?—Yes.

6292. And as to the absence of interest on the part of any member of the Corporation in any vote given?—That is so.

6293. And as to the disqualification of any member of the Corporation from appointment to an office?—Yes.

6294. Or of any son of a member of the Corporation?—Or of any son of a member.

6295. And you have another resolution that "any "vote of the Court affecting the salary of an officer "of the Court, or the remuneration to be given to an "officer, shall be taken by ballot"?—That is so.

6296. That is always acted upon?—Yes, now and then, if it is somewhat slight—raising a foreman of labourers from a small sum to a sum not much larger, they very often then suspend the order; but in all cases of substantial increases to an officer, whose salary is at all substantial, they most jealously stand by that.

6297. Where they suspend the order, is that where it is voted by acclamation?—It is voted by acclamation, or nearly so, or the order would not be suspended.

6298. Is it necessary, according to the ordinary construction, to take a ballot even where there is no objection to a vote?—Yes, absolutely; it is my duty to remind the Court, where they are ever so unanimous, and ever so agreed, to take a ballot.

6299. Although the result of the ballot may be perfect unanimity?—It never is.

6300. It never is?—Never absolutely—never.

6301. (*Lord Farrer.*) Can you tell us, on page 45—those are the expenses of Committees—are those expenses entirely within the jurisdiction of the Committee?—Do you mean to say, is the money?

6302. Yes?—No, the practice—well, I should go back some years, perhaps——

6303. (*Chairman.*) These are the sums allowed to the several Committees?—Those are the sums allowed to the Committees for their expenses.

6304. And the expenditure of those sums is left entirely within the control of the Committee?—No, with the Chairman.

6305. With the Chairman?—Some long time ago, longer ago than I remember, it was the custom that in the case of members who attended the Committees and were marked above the line—that is within a certain time of the hour at which they were summoned—money allowances were made to them—fees; something, I suppose, after the character of fees for boards of directors, and so on. However, that was abolished, and in place of that (it was found to be inconvenient), the Court allocated sums to the various Committees according to the importance of their duties, and the consequent number of times that they would have to attend, for what was termed their expenses, expenses of refreshment, and so on; and the Chairman for the time being has the entire allocation of that, especially for the reason that the amount allowed is never sufficient to carry out the Chairman's ideas of hospitality and each Chairman spends more out of his own pocket.

6306. (*Lord Farrer.*) And what are his ideas of hospitality?—Well, I should say, in the case of the City Lands, where 400*l.* is allowed, his "ideas" run to about 500*l.*

6307. In the form of luncheons, or what?—In the form of luncheons and occasional dinners, to which persons connected with the Committee are invited. The Chairman of the Markets Committee would invite some of the principal market people; the Chairman of the Library Committee (which I see has a very small allowance), gives a big dinner every year to the representatives of literature, science, and art, a dinner of some considerable distinction.

6308. But are these generally for dinners to people outside, or are they for what we may call refreshments and luncheon?—I should say that in all cases, in the case of every committee, the dinners include a number of outside people, according to the work of the Committee, and the position in life, and so on, of the Chairman. If he happens to be a lawyer, he probably asks a number of distinguished members of the Bar to his dinner, and in that way the thing is done. Luncheons are very slight affairs; I mean to say there may be on a side table some sandwiches and sherry, not much beside.

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6309. This is really, then, a case of entertainments following the analogy of the City's hospitalities?—Yes, to an extent you may call it so, certainly.

6310. Are they given in any public building, or at any place of entertainment?—Oh, at some of the usual taverns, the Albion, or the City Terminus Hotel, or the Guildhall Tavern.

6311. Is it a thing generally understood that the Chairman of the Committee shall give a certain ——? —It is a thing understood that the Chairman of the Committee shall, through his year, entertain the Committee and persons whom the Committee would like to meet, having regard to the special work of that Committee.

6312. (*Mr. Crawford.*) Take the Police Committee; it is the custom to ask all the police magistrates, is it not?—In the case of the Police Committee, all the police magistrates of the Metropolis are asked, and various persons having to do with police matters; in the case of the Port Sanitary Committee, the leading port sanitary people about the country. As you will see, the Port Sanitary allowance is 150*l.*, it probably costs the Chairman another 100*l.* at least.

6313. I believe it is not unusual to see members of the Government Departments at some of these dinners, is it?—I have seen them frequently.

6314. (*Lord Farrer.*) I am very glad to have asked the question, because *primâ facie* it appeared as if these were luncheons and dinners to the members of the Committees?—No.

6315. It is really a case of entertainments to outsiders?—Yes; the luncheons to the Committee are really most attenuated affairs.

6316. (*Chairman.*) There are a great many Committees and Commissions appointed by the Court of Common Council?—Yes; I think two or three and twenty.

6317. (*Lord Farrer.*) Holding office in the City must be rather a burdensome affair?—In the way of calls upon one's——

6318. In the way of expense, from the Lord Mayor downwards?—Yes; the Lord Mayor especially. To hold office, do you mean as Chairman?

6319. As Chairman of Committees?—Oh, I think men are pleased to do it. They are fairly well-to-do men, as a rule. It is once in a lifetime possibly; it is a matter of distinction.

6320. Of course, it rather keeps the poor men out of the chairmanship?—No, I think not. There is no reason why a man should of necessity spend more than is allowed. Poor men do take the chairs, and they are equally respected, I think, and their motives are understood.

6321. (*Chairman.*) It is very much like appointing a mayor in an ordinary municipal borough?—Very much indeed. We see that in some municipal boroughs there has been great difficulty in getting a man to fill the office of mayor.

6322. Most of the Committees in the City consist of six aldermen and 29 commoners?—There are six aldermen to each Committee and 29 commoners, counting one for each ward or side of a ward, so that each ward is represented.

6323. In the case of the Police Committee, all the aldermen and two commoners from each ward?—Yes, a deputy and a commoner.

6324. It is always a deputy, is it?—Yes; the aldermen and deputy of the ward are members *ex-officio* of the Police Committee, and 29 commoners are put upon it.

6325. (*Lord Farrer.*) The ordinary number seems to be 35?—35 besides the retiring Chairman, who always remains on *ex-officio*.

6326. And what proportion of these 35 generally attend?—Seven is a quorum. I should think you would generally find about half would be a fair average. Of course, when there are important questions arising they come rather more numerously, but as a matter of fact two or three Committees are constantly sitting at one time; in fact, this week we had eight or nine sitting each day of the week to wind up the matters pending, so that men who are members of two Committees have to do the best they can to move from one to the other in adjoining rooms.

6327. (*Mr. Smith.*) Has the question of reducing the numbers of these Committees ever been considered?—It has never been considered substantially.

6328. They seem to us very large?—Yes; Oh, yes.

6329. We manage great undertakings with Committees of six or eight?—It has been said that a Committee of three is the very best, where two stop away.

6330. (*Chairman.*) Would the same persons, to any extent, be members of the three Market Committees that you have—Central Markets, Cattle Markets, Billingsgate Market?—No.

6331. They are quite distinct from one another?—Yes; Oh yes, they would be distinct.

6332. And are the Library Committee, and the City of London School Committee, and the Freemen's Orphan School Committee, and the Music Committee, all distinct?—No, I cannot say that at all; I am speaking of the markets. I think it is quite looked upon there, that one man in the ward should be on one Market Committee, and others on the other two.

6333. (*Lord Farrer.*) I do not quite understand what your principle of division is?—The principle is this: that the wards, on their elections on St. Thomas's Day, meet and suggest the apportionment of the Committees, and I do not think any ward, under any circumstances, would send one man on to two Market Committees, any more than they could send one man on to the City Lands and the Bridge House Committee; there is a special Standing Order forbidding that. They would vary them, because the work being of that character, they would say other men should have an opportunity of serving on the markets, and so on the various School Committees. You would never find one man on the City of London School and on the Freemen's Orphan School—they would divide them; but there is no reason why a man should not be on the Library Committee and the City of London School Committee.

6334. The principle seems to be rather that of giving each man a taste of all sorts of work, than of getting any men who are particularly skilled in any particular work?—The members like the work; they rather seek it.

6335. Seek the varied work?—Yes, they seek the varied work. A would say, "I do not see why B "should have all the three Markets Committees; I "should like markets work; I would do it, too;" as to the Bridge House Estates Committee and the City Lands Committee, being rather leading Committees, there is a standing order to say that no one shall be on the two Committees.

6336. But I understood you that the wards select the members?—Suggest them; they send their names in. The Common Councilmen of the various wards meet together to settle their Committees. There is not very much to settle, because every man is returned for four years to a Committee; a man is on a Committee for four years, then he has to go off, and, therefore, there are only a few vacancies, perhaps, and the wards meet together to suggest to the Court who shall fill those vacancies.

6337. Is that a ward-mote meeting?—Oh, no, no.

6338. A private meeting?—A private meeting of the Common Council.

6339. Of the Common Councilmen themselves?—Yes, quite so; the Common Councilmen of the wards. They send in that list; then those lists are all printed and taken up to the Court at its first meeting in January. It may be that some Common Councilman in a Ward may object to what his fellows have done; he may say:—"I am unfairly treated; it "is my turn to go on that Committee," because there are always favourite Committees, as there are favourite classes of schools, and so on; and he thus can bring that before the Court of Common Council, because

the Court of Common Council absolutely appoints the Committees. Where no objection is made, they are appointed at once. Sometimes there are discussions about them. A Common Councilman can say, "Well, "I am particularly anxious for markets work, and I "think it is my turn;" and if he can prove his case the Common Council would probably put him on, and not the one that was suggested by the ward.

6340. Then it is recognised in the Council that the wards, as represented in the Council, are to have a potential voice?—Oh, a strong suggesting voice. It has been for a long time past—as long as I have known it—the custom to do that.

6341. (*Chairman.*) The allotment of 29 commoners to a Committee means that there shall be one commoner for each ward?—Just so.

6342. And that is always strictly observed?—That is always strictly observed.

6343. Never two commoners from one ward and no commoner from another?—Oh no, certainly not; that is always strictly observed.

6344. Take an instance: if a representative of Billingsgate Ward is wanted on a particular Committee, the Common Councilmen for the Billingsgate Ward may meet together and suggest a particular person?—Yes, they may do so; if they failed to do so the Court would fill it up.

6345. (*Lord Farrer.*) Suppose you have a man who is pre-eminently fitted for a particular Committee, who belongs to a ward already represented on that Committee—is there any means of getting him on the Committee?—Oh, certainly, the Court may put one man off and take another on; the Court is pre-eminent in that respect.

6346. Do they ever do that?—Never, except by consent. It very, very frequently happens indeed that some man is returned on to a Committee, we will say the Music Committee, and then some time afterwards some fellow wardsman of his has said: "Well, I am "a musical man, and you are not;" and they have given notice of motion. One gives notice of motion that Mr. A. shall be put upon the Music Committee *in loco* Mr. B., and that Mr. B. shall go on some other Committee in place of Mr. A. That is not at all an infrequent thing, the resettling of matters within the first month or two of the year.

6347. Quite so; but supposing it so happened that there were four or five men in the Billingsgate Ward particularly fitted for a particular Committee, the Markets Committee, they would not all get on. You adhere to the principle that each ward shall be represented on each Committee?—Certainly that would not be done.

6348. (*Mr. Crawford.*) Do you not find that the Court adds a man specially to a Committee who has particular knowledge upon some particular subject?—For a particular purpose.

6349. (*Chairman.*) For a particular purpose?—That is so.

6350. Not for a year, but for some special object?—Only for a year.

6351. Oh, for the year?—Because every thing is at an end at the end of the year. They begin again. A notable case was that of Mr. Deputy Bedford, an old member of the Court, who had rendered himself famous in connection with the rescuing of Epping Forest. When his turn came to go off the Coal and Corn and Finance Committee, that had for a long time the working of the arrangements for freeing Epping Forest, he was added specially to the Committee.

6352. (*Lord Farrer.*) The Court of Common Council can always do that?—The Court of Common Council can always add a man to a Committee for a purpose.

6353. As matter of fact, as a general rule, the principle is not to put men on Committees on account of their fitness for that particular Committee, but to have each ward represented on th Committee?—The first rule, no doubt, is to have each ward represented on the Committee; but inasmuch as the suggestions from the wards emanate from the members themselves, so the members try to lay their plans as far as they can to go on the Committees for which they are fitted. The City Courts Committee consists very largely of solicitors; they rather lay themselves out for it.

6354. That is subject to the principle that each ward must have its representative?—Oh, that must be so absolutely.

6355. (*Mr. Holt.*) I notice Sir John, that you have 25 Committees here, do you think it is necessary that there should be so many, or do you not think there might be a little grouping, amalgamation, if we may call it?—You are asking me now a difficult question, and a dangerous one for me to answer. You might similarly ask me, whether I do not think 18 men would do the work as well as 35. I think it is self-evident that you might perhaps put all the Schools Committees into one Committee. Whether they would do the work I could hardly say without trying, and I suppose one would have to admit that 18 men would do the work as well as 35, but 35 share the work out, and it is found to work very well. I may say this, that there is a case in point now as regards the Markets Committee. About 20 years ago, the whole of the markets, which had formerly been under different Committees, as the markets then existed, were put under one Committee that was called the Grand Markets Committee, and that had the working of all the markets. About two or three years ago that was found to be so exceedingly cumbersome and inconvenient that it was divided up into three Markets Committees, the Central, the Cattle, and the Billingsgate and Leadenhall, and that is found to work a great deal better.

6356. (*Mr. Smith.*) It might have been met by the appointment of Sub-Committees?—Well, it was met by the appointment of Sub-Committees; that is a very good suggestion of yours because it was adopted. This Markets Committee did appoint Sub-Committees, but then they had all to come and report to the Grand Committee, and the whole thing was found cumbersome and inconvenient.

6357. (*Mr. Crawford.*) The work was done twice over practically?—The work was done twice over in this particular case.

6358. (*Chairman.*) Is the ward feeling very strong in the City, the feeling amongst the inhabitants of a ward for maintaining their separate representation, and therefore their right?—I think we shall hear more about that, probably after to-morrow, I suppose. I should say it is, but to-morrow I should imagine I should rather expect that some expression of feeling will be evoked. If there were none, why that would answer your question, Mr. Chairman.

6359. A suggestion to reduce the number of wards would not, you suppose, be very well received?—Oh, you mean to say putting two wards together, or something of that sort?

6360. Yes?—I cannot say that at all; I do not know.

6361. That is what I mean whether the ward feeling was strong?—Two wards have united in having ward schools, which shows a friendly and neighbouring feeling.

6362. In some of the wards the number of resident occupiers is very small?—Very small. Oh, it is a fact that in two or three cases small wards have united together to carry on ward schools, which, as I say, shows a friendly feeling between them.

6363. (*Lord Farrer.*) Men are proud of belonging to one of these wards whose history goes back for many generations?—I do think that very strongly indeed; I think there is a very strong feeling of that kind.

6364. (*Mr. Crawford.*) As a matter of fact, was there not an attempt made after the last Royal Commission to reduce the number of wards, and the Corporation actually promoted a Bill, but that evoked so much opposition in the City that it had to be dropped?—That was so; that, I think, you will find ——

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6365. On page 7, I think?—That, I think, you will find in this book here; yes it is on page 7; in the second paragraph of page 7, the recommendation being that a number of wards be reduced to some number not less than 12 nor greater than 16, and that their area and population be as far as possible made equal:—"With a view to endeavouring "to give effect to this recommendation, the Court of "Common Council in the month of February 1857, "resolved to reduce the number of the wards to 20, "and even had prepared and introduced into the "House of Commons a Bill to carry out that among "other objects, but an outcry from one end of the "City to another arose. Municipal privileges were "alleged to be affected, local rights prejudiced, and "ward property injured. Even a proposal to readjust "the wards without changing the number of alder-"men or reducing the number of Common Councillors "provoked opposition; the result being that both the "Corporation Bill and the Government Bill of 1858 "had to be dropped, the Government Bill being "withdrawn on the 1st of July of that year. "Similar proposals have always since met with a "similar fate, and the number of wards in the City "remains at 26."

6366. (*Lord Farrer.*) Do you attribute that to an historical feeling; I asked the question because there are considerable powers of altering the limits of wards you know in the rest of London; powers that are constantly exercised?—I should think it is not only an historical feeling but I think an ordinary clannish and neighbourly feeling that arises in most organisations.

6367. (*Chairman.*) Your wards are much more important in their organisations and each one has an alderman for itself?—Yes.

6368. And therefore gets a Lord Mayor for itself in turn?—Gets a Lord Mayor and mostly a sheriff. The alderman of a ward at some time or the other becomes sheriff and that gives the ward a little pride in what they term their inheritance.

6369. What is the ward property which you mentioned in that history, you were recounting that ward property was threatened in describing the opposition made to that Bill?—Well, I can hardly say to what extent; it has occurred so long ago.

6370. I think you will find those words?—The idea was—I am only gathering that as anyone who reads may gather—that it was considered that the property in the ward would have its prestige taken away from it by losing its name and its identity.

6371. The property of private persons?—I think so.

6372. Not that the ward itself had property?—No.

6373. (*Mr. Crawford.*) Except schools?—They have schools, and so on.

6374. (*Mr. Smith.*) There is no analogy, Sir John, between the case of your wards and those of an ordinary borough, in an ordinary municipal borough the ward is simply an electoral division?—That is all; an electoral division and without a specific head; I suppose the alderman is simply put there to preside at elections.

6375. Assigned for a particular purpose?—No; these wards have had their ward schools; they have taken care of their poor and they have done a great many things you may almost say of a feudal character.

6376. When a man is elected for a ward in an ordinary municipal borough, as soon as he is elected he ceases to consider himself a member of the ward, he is a member of the whole Corporation, that is the view he takes of it?—Yes.

6377. Is that so?—Yes, it is. You find it on page 292 in the statement. The City Ward Schools are set out there, showing in various cases that the wards have united together to establish schools.

6378. (*Lord Farrer.*) Is there no jealousy on the part of one of the larger wards? For instance, Farringdon Without is an enormous ward, is it not?—That is a very large ward indeed.

6379. Is there never any attempt or desire on the part of Farringdon Without to have a larger share of what we may call the leadership—the aldermen and the principal officers?—Oh, no; not in that way at all. You see Farringdon Without being a very large ward has got a very much larger number of members representing it; and so it is fairly equally represented on the Committees as any other ward; it has got so many more men.

6380. It has got more representatives on the Council?—Yes.

6381. It has only its one alderman?—Well, Farringdon Without has one alderman. There are two Farringdons—Farringdon Without and Farringdon Within, each has an alderman.

6382. So that on the Court of Aldermen its representation is the same as any other ward?—Yes, certainly.

6383. But on the Court of Common Council it has a much larger representation?—Yes, 16 or 18.

6384. (*Chairman.*) Farringdon Without has 17 times the rateable value of Bassishaw?—Yes, I have no doubt. It is a very large ward indeed.

6385. But it has only got the same turn for the higher posts, and the same one alderman?—In that sense.

6386. And the same one member of each of its Committees?—As Yorkshire or Devonshire or Rutland each would have a Lord Lieutenant.

6387. But they do not work together for any purpose?—No; I know they do not. I mean the size must tell unequally sometimes.

6388. (*Mr. Holt.*) In relation to that the Common Councilmen are not fixed with any regard to population but more, perhaps, with regard to rateable value; or how are they arranged?—Well, the two would rather go together, Mr. Holt, would they not?

6389. I did not know how it was fixed here?—I cannot tell how it was fixed at that time; but I suppose it would be with regard to rateable value and as to population. I should have thought they both would have entered into the calculation.

6390. (*Lord Farrer.*) Farringdon Without, I see, has 16 Common Councilmen and Bassishaw has four?—Yes.

6391. But Farringdon Without has 526,000*l.* rateable value, and Bassishaw 30,000*l.*, so that the proportion of Common Councilmen is not at all in proportion to rateable value?—No; I daresay it is not. I suppose that in 1840 probably the Act at that time followed the best calculation that could then be made. But even now-a-days that is to a great extent so with Parliamentary representation in the country.

6392. (*Mr. Crawford.*) You will find the rateable value has enormously changed in the different wards. If you take, for instance, the figures that you give us for 1852?—Yes.

6393. In comparison with what they are at the present moment they have enormously changed?—It is so, no doubt.

6394. And not changed in a similar ratio in each individual ward?—Some wards have been depopulated to some extent by the invasion, one may call it, of the large railway stations—Cannon Street and Bishopsgate, and so on.

6395. (*Lord Farrer.*) Have the City under their general powers the power of altering wards?—Yes.

6396. They have that?—I should say distinctly.

6397. They might do it—if there was any desire in the City for doing it, they might do it themselves?—Yes, certainly.

6398. (*Chairman.*) It has never been done by Parliament?—No.

6399. Always by the Court of Common Council?—Always.

6400. (*Lord Farrer.*) I should like to ask you, has the Common Council any annual budget? Is there at any time of the year, the whole statement of accounts and estimates put before the Council so as to show at once what the income and expenditure are

to be for the following year?—The Chamberlain brings up a report, or rather presents to the Coal and Corn and Finance Committee, what may be termed a budget.

6401. Is that a financial statement?—It is a financial statement.

6402. The estimate of the expenses are put, and what the income is to be, applicable to the payment of those expenses?—Yes.

6403. And is that passed? Is it put before the Common Council and passed?—It is put before the Common Council.

6404. And have they to pass it?—And upon that report; upon a portion of the report the sum to be given away in charity during the year is ascertained

6405. But does the Chamberlain put down in that, for instance, so much to be spent upon the Tower Bridge?—Oh, no; that would not be so, because the Tower Bridge are trust funds; it has nothing to do with the Corporation funds at all.

6406. But with regard to the City's cash, does he bring forward a complete estimate?—Yes; he brings forward an estimate. But all that is a matter that I think had better come from the Chamberlain himself. I merely answer generally; and especially with reference to the sum to be given away in charity in the year, in benevolence.

6407. (*Mr. Holt.*) Did I understand Sir John just now to say that the Court of Common Council can fix the number of representatives, of councilmen, from each of the different wards?—Yes.

6408. Without any reference to a higher power?—Yes. The Act of Common Council that I was reading from just now—the 8th May 1840—fixed the present number of representatives for the wards.

6409. (*Chairman.*) It is an illustration of the unique position of the City in being able to legislate for itself?—Yes; under the Charter we were speaking of when I was last here.

6410. (*Lord Farrer.*) Can you tell me how the patronage of livings is exercised?—The City livings?

6411. Yes?—By vote of the Court of Common Council.

6412. Are candidates put forward?—Yes. I am trying to remember one in my time. I do not think I can.

6413. (*Mr. Smith.*) After hearing a competition sermon?—I do not know. I should think they would. I am trying to recall a case in my own time. I do not think I can. One of the most notable is a man with the historic name, the Rev. Richard Whittington. He has been occupying his excellent living of St. Peter's, Cornhill, ever since I have been there. I should think they would be wise enough to do as you say and hear competitive sermons.

6414. (*Mr. Crawford.*) They certainly do that in connection with the Gresham lectures?—Yes, certainly.

6415. That was so in the case of the Divinity Lecturer?—Yes.

6416. (*Chairman.*) It was Sir John Page Wood who preceded Mr. Whittington, was it not?—I do not remember. I only remember Mr. Whittington there. Mr. Whittington has had his Corporation living of St. Peter's, Cornhill, since 1867.

6417. Has he not been lately a master of a City Company?—The Merchant Taylors; he has just gone out of the chair.

6418. And if I am not wrong in thinking, Sir John Page Wood was his predecessor; he was the son of a Lord Mayor or an alderman?—I should think very likely he would be. He was a member of one of the great City families, the Woods.

6419. Lord Mayor Wood's son?—Lord Hatherley was a member; Sir Evelyn Wood is another member; and he himself was Warden of the Fishmongers' Company, of which all the Woods, or nearly all the Woods, I believe, are members.

6420. It is not uncommon for City Companies to have ecclesiastical patronage?—They certainly have it. I know the other day the Haberdashers' Company exercised it in favour of a gentleman with whom I am acquainted.

6421. (*Mr. Crawford.*) I did not quite catch the question that Lord Farrer put to Sir John; was it as to whether there was competition in connection with those things?—No, in what way the City exercised their ecclesiastical patronage; I say by a vote of the Court.

6422. I might remind Sir John that there was a recent election, and we had several candidates; and you may recollect that some of them received a small vote in order that they might not be out of pocket by the trouble which they had taken to come up to town to attend the Court of Common Council. Some came from as far as Yorkshire and other places?—Yes. You are right, it was so. It had slipped my memory.

6423. (*Chairman.*) Candidates for a living?

6424. (*Mr. Crawford.*) For a living, yes; and it was felt that they had taken a great deal of trouble so as to give the Court of Common Council a choice, and a small sum was placed at their disposal to recoup them any actual disbursements that they had incurred.

6425. (*Lord Farrer.*) With regard to all these officers, how is the selection of officers made? Is it made in the first instance by the Committee who has to deal with it, and submitted by them to the Council?—Well, very much would depend, Lord Farrer, upon the nature of the office, very much.

6426. (*Chairman.*) There is a preliminary step, is there not, at page 54?—Sometimes, if the office is one of what is called of the first importance—a high officer—the whole of the names go before the Court of Common Council. I do not think they then leave it to the Committee to make a selection.

6427. But is not there, first of all, the examination into the office and its emoluments?—Oh, yes; when you come to the very beginning, if a vacancy arises it is referred to a Committee—usually the Officers' and Clerks' Committee—to report as to the nature, duties, and emoluments of the office. At that time the nature of the office is considered; its duties are considered, first, as to the nature of the office, whether it is desired that there should be a continuance, and then as regards the duties to what extent they should be altered, increased, decreased, or modified; and, third, the emoluments of the office, and what the salary should be. That report is brought up by the Committee to the Court, and dealt with, either agreed or modified; but, at any rate, dealt with.

6428. Not infrequently a revision of salary?—Not infrequently.

6429. (*Lord Farrer.*) Then after that comes the personal question?—Then comes the personal question. In my own case, I remember, it was recommended that the salary of the office, in 1873, should be 2,000*l.* a year. The Court thought otherwise, and thought it should be 1,500*l.* a year, and so it was. Then candidates come before the Court. They are occasionally first interviewed in private by a Committee of the whole Court, and successively heard.

6430. (*Mr. Crawford.*) That very seldom takes place with the principal officers, Sir John?—I remember, personally, in my own case, it did occur. The Committee of the whole Court met informally—the Chief Commoner in the chair, not the Lord Mayor at all. They met informally, and merely invited the candidates to appear before them.

6431. (*Lord Farrer.*) The whole Court of Common Council?—The whole Common Council. The candidates were separately introduced and invited to read their addresses, and make such observations as seemed to them appropriate.

6432. (*Mr. Crawford.*) That is to say, the Court of Common Council resolved itself into a Committee?—No; certainly not.

6433. Was it specially called for the purpose?—No, it was not so at all. The Chief Commoner of the time, Mr. McGeorge, sent out a private notice inviting his fellows on the Common Council to meet quite informally, no officer attending.

6434. That is exactly what I was asking. If it had been a formal matter the Court of Common

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Council would have resolved itself into a Committee of the whole Court?—They might have done that.

6435. In this case they did not?—The Court met informally. Nothing was done by resolution of any kind. But, at any rate, the members, as I thought very wisely, because I came best out of it, formed their own opinions, and the following Thursday the election took place.

6436. (*Lord Farrer.*) When a salary is fixed in this way, is it formally fixed for a year or formally fixed as a permanent thing?—It is fixed without any limitation. They might raise it in three months if they pleased. They never do, but they might. The person elected is elected at such a salary.

6437. And is he elected for a year?—Till the next regular period of election of officers, which would be the second Court in the following January. There is a standing order here which says——

6438. Yes, that is what I wanted to get to?—All the elections are to take effect only until the second Court in the following January, being the Court for the election of officers.

6439. I suppose, as a matter of fact, and as a matter of course, the officer, unless there has been anything against him, is re-elected always?—Yes, practically re-elected—practically always; it has not been entirely always, but practically so.

6440. (*Chairman.*) That does not apply to all officers who are appointed by the Court of Common Council?—No; all those who are subject to annual election.

6441. Those who hold judicial offices?—Persons in the position of judges are not.

6442. And the Commissioner of Police?—The Commissioner of Police is not. But it specifically says, in the form of resolution of the elections, "subject to annual election," subject to the terms of the report of such-and-such a Committee, and subject to annual election.

6443. (*Mr. Smith.*) I suppose vacancies are generally advertised, Sir John?—Never; not a vacancy for a high officer. I suppose if a technical office somewhat low down on the list were wanted to be filled, such as Superintendent of Forests, or something of that sort, it would be advertised. But the professional offices are matters of such notoriety that there is generally a flood of applicants.

6444. (*Lord Farrer.*) Is there any system of pensions, or is that in the option of the Council?—Up to quite recently it has been entirely in the option of the Council, but there now is an absolute pension scheme passed, which is law.

6445. And does that give the officers who are comprised in it an absolute right to pensions?—An absolute right to pension. It is done on a system of payment by the officer, which commences this year.

6446. (*Chairman.*) It is a law of the Common Council?—Yes. I mean to say it is law with us in the City. I mean to say what was a matter, as the cabmen would say, "left to their honour's generosity," is now a matter of absolute right fixing the time of retirement and rate of pension.

6447. (*Lord Farrer.*) So that if an officer were not re-elected in any year, and he came within the rules of the pension scheme he would be entitled to a pension?—He would be entitled to a pension, unless there was any reason that I cannot foresee against it.

6448. Of course, there is power to dismiss for misconduct?—Yes.

6449. Or incompetency?—I think it is provided for in the pension scheme, namely, that all contributions paid should be refunded.

6450. (*Mr. Smith.*) The officers' own contributions?—Yes.

6451. (*Chairman.*) The Common Hall—I think we have had most of the facts before us. It is an assembly of the Liverymen of the Companies?—An assembly of the Liverymen.

6452. In certain prescribed numbers, or with a certain limitation of numbers, and it elects the Lord Mayor and the Sheriffs and some other officers?—That is so—the Chamberlain among them.

6453. I see the Livery may also be summoned by the Lord Mayor to meet in Common Hall at other times to discuss questions of public interest?—Yes.

6454. In that way the Livery is held to be representative of the City at large?—Yes, I should think so—as far as it goes. Of course, it is an organised body in the City, a Corporation, so to speak, that does express an opinion. How far the City at large who are not Liverymen might consider itself represented, is not for me to say. But it would be a very large representation indeed, no doubt of the leading men in the City.

6455. And that is at present a formal way of obtaining a presentment of City opinion by the Lord Mayor?—Oh, I think not. I do not think that at all. Now-a-days open meetings of the citizens are called, as was the case the other day on the Navy question. That was not a meeting of the Livery at all. That was a meeting of all who chose to come together.

6456. Precisely. But that would not be a formal presentment of the opinion of the City. Would the presentment of opinion by the Liverymen be at all analogous to a presentment by a grand jury of the county?—Well, to whom?

6457. To whomever the Lord Mayor might be instructed to communicate it?—To a great extent it would, no doubt.

6458. Have there been any recent convocations of the Liverymen upon subjects of public interest?—Occasionally, yes; not very often, but occasionally.

6459. Can you recall any one?—No; I would very much rather refer to the Common Hall Book.

6460. (*Mr. Crawford.*) In 1884; do you not remember a very important meeting in 1884?—Well, I do not remember.

6461. Do you not remember a very important meeting, in 1884, on Sir Vernon Harcourt's Bill?—I have no doubt there was; I think there was.

6462. And resolutions were passed which were conveyed to the Government?—No doubt.

6463. (*Lord Farrer.*) I suppose that if you wished to get the formal opinion of the Corporation of the City of London you would go to the Court of Common Council, would you not?—If you wanted the opinion of the Corporation. Of course the Corporation is not entirely the Livery. The Livery would be a more extended representation in another direction. The Corporation directly represents the ratepayers of the City, no doubt; and the Livery represent, as it were, themselves.

6464. (*Chairman.*) But the Livery elect the Lord Mayor?—The Livery elect the Lord Mayor.

6465. They are the surviving representatives, apparently of the Commonalty of the City *en masse*?—Yes, the *immensa communitas*.

6466. (*Mr. Smith.*) They principally exist, do not they, for the purpose of the election of the Lord Mayor?—That is their principal duty.

6467. And I see the Commission of 1854 recommended that they should cease to have that power?—Yes.

6468. I think they recommended that the elections in Common Hall be abolished?—That the elections in Common Hall be abolished,—No. 9,—the effect of which, we say, would have been to disfranchise some 10,000 of the most respectable and responsible electors in Europe, including merchants and bankers, and so on.

6469. (*Lord Farrer.*) I think we did ask you whether there is any instance of a poll at the election of the Lord Mayor?—I think I was asked that. I should certainly say yes.

6470. How long ago?—The last, I think, was in the case of Sir James Clarke Lawrence and Mr. Alderman Besley. That would be about 25 years ago. I do not remember a poll for the Lord Mayor since. There was a proposal to re-elect Sir James Clarke Lawrence, that was the occasion of it, and the friends of Mr. Alderman Besley thought that he

should be elected, and a poll took place, and the re-election did not take place, and Mr. Alderman Besley, the next in rotation, was elected.

6471. (*Chairman.*) We have had, I think, almost everything you state here relative to the Sheriffs before us. It is, perhaps, an obscure question. What right or privilege has the Lord Mayor with respect to the nomination of a Sheriff?—The Lord Mayor has the privilege of nominating under forfeiture penalties; "between the 14th day of March and the 14th day "of May in every year, in the Court of Aldermen, one "or more freemen of the City (not exceeding three in "the whole) to be publicly put in nomination for the "Shrievalty to the Liverymen in Common Hall "assembled, such nomination to remain in force for "five years." That was done mainly that there always should be a list for service outside the Court of Aldermen, that there should be no failure in the list.

6472. Is that kept up—that right of nomination?—Oh, kept up most religiously. The Lord Mayor nominates one or more. The Lord Mayor this year nominated two gentlemen, and the effect of the nomination is that they do not require further nomination. It gives them no privilege, or any priority, except that after the aldermen they are put to the Livery; and it is competent for any two members of the Common Hall also to nominate.

6473. And does it often happen that the Lord Mayor's nominee is the second man, or one of the men, or is it only a reserve nomination?—I do not think that very much turns upon it in the way of success. It is rather supposed to imply that at any rate the gentleman nominated is agreeable to the Lord Mayor; but as he is not going to be except for three months the Lord Mayor with whom that particular Sheriff would serve, not very much turns upon that.

6474. As the nomination lasts for five years he might not be even those three months?—It is so. But there is this in it, that it is considered that the Lord Mayor, at any rate, feels satisfied that the person nominated is a fit and proper person, and that Liverymen might regard it accordingly.

6475. (*Mr. Smith.*) I think it was recommended by the Commission of 1854 that the Sheriffs should be elected by the Common Council. I do not know whether it is fair to ask you whether you see any objection to that yourself?—I think it is better as it is.

6476. It would be conforming more to the ordinary practice of the Sheriff being elected at the same time as the Lord Mayor?—Well, I can only look upon "ordinary practice" as practice prevailing in the City.

6477. (*Lord Farrer.*) Is the office of Sheriff one that is sought for?—Oh, yes.

6478. Or avoided?—Oh, on the contrary, sought for.

6479. Although it involves considerable expense?—It involves considerable expense. There was a surplus of candidates this year, and I think a very heavy poll. If I remember rightly, there were four candidates this year for the two offices.

6480. (*Chairman.*) On the Central Criminal Court we have also had a good deal of information?—On the Central Criminal Court and the Old Bailey, I should suggest that the Common Serjeant would be your better witness. He is very familiar with it, having practised there, and now a judge of it, and I am not.

6481. That is as to the organisation of the Court?—Yes; I think so, on the whole subject; I think that is one of the points on which I should say he would be the proper witness. I believe he is prepared to come.

6482. As to the question of the payment of the expenses of the Court he would know very little about that; do you know anything about that?—I know nothing of it at all. It is not within my purview.

6483. On page 66—the County of London pays thirty-five-fortieths; the County of Middlesex, two-fortieths; the County of Essex, two-fortieths; and the County of Surrey, one-fortieth?—Yes; those I have found to be the facts, but I know nothing of the details.

6484. What do you understand the County of London to be there?—The County of London.

6485. The County as constituted by the Act of 1888?—As it is.

6486. The county over which the County Council has authority?—Yes.

6487. You do not know when these proportions were settled?—No, I cannot tell you at all. My knowledge is very small upon that. I can only tell you by research.

6488. (*Mr. Crawford.*) If the Common Serjeant cannot give us the information, Mr. Avory, the Clerk of Arraigns, would do so?—You could get the evidence from one or other.

6489. (*Mr. Smith.*) We have had a great deal of evidence about that.

6490. (*Mr. Crawford.*) I think you may find it necessary to hear the Common Serjeant, not merely on this question, but on other points; the question of magistracy, which has been raised by you.

6491. (*Lord Farrer.*) If there is anything to correct in the evidence that Mr. Kemp has given, no doubt the City will do it.

6492. (*Mr. Crawford.*) Yes, when the City has had an opportunity of seeing the evidence they will do so.

6493. (*Mr. Smith.*) Yes, certainly.

6494. (*Chairman.*) The Sessions House and the prison at Newgate, the Old Bailey. As a prison Newgate is almost empty, is it not?—It is always empty now, except when the trials are going on, the Central Criminal Court trials, and when cases of capital punishment are being carried out.

6945. And there has been a question of re-erection?—Of the Sessions House?

6496. Of the prison and the Sessions House?—Yes.

6497. Do you know how that stands?—No. That is a matter for the City Lands Committee entirely. Mr. Brand, the Comptroller, would tell you about that.

6498. (*Lord Farrer.*) You cannot tell us, can you, whether the City have the power to make and levy a county rate for the purpose?—I would rather not tell you without due consideration.

6499. (*Chairman.*) You have it at page 72.

6500. (*Lord Farrer.*) Yes, I know we have it there. But there are questions raised about that.

6501. (*Mr. Crawford.*) I may tell you, as a matter of information, that the point was raised very recently and advised upon by the law officers of the Corporation. Sir John Monckton is not a law officer, therefore the point would not come before him. The law officers of the Corporation advised that there was the power.

6502. (*Lord Farrer.*) That the City have the power to levy a county rate?

6503. (*Mr. Crawford.*) Yes.

6504. (*Lord Farrer.*) I understand there is a somewhat difficult legal question about it.

6505. (*Mr. Crawford.*) There is, no doubt; that was the opinion of the law officers.

6506. (*Lord Farrer.*) It raises the question whether two county rates can run within the same area.

6507. (*Mr. Smith.*) It is the old question of the non-intromittent clause, is it not?

6508. (*Mr. Crawford.*) Yes.—You will find, Mr. Chairman, that various officials will be your best witnesses on the larger portion of the remainder of this book.

6509. (*Chairman.*) The organisation of the City Courts?—The City Courts; the Mayor's Court, and so on. The Registrars of those Courts would be your best witnesses.

6510. You do not profess to give the best evidence on that?—No, certainly not. I might give you bad evidence on account of want of knowledge of the Court practice.

6511. And for the Chamber of London?—The Chamberlain. Of course you would entirely depend on

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the Chamberlain. The City Lands and Bridge House Accounts would be the Comptroller, Mr. Brand.

6512. (*Mr. Crawford.*) The Chamberlain and Mr. Payne?—Well, the Chamberlain and his staff.

6513. Mr. Payne is not on his staff now; that is why I have mentioned his name?—No; quite so. The Markets would be my Principal Clerk, Mr. Knott. He entirely attends to them, and he is, so to speak, saturated with the market question.

6514. (*Lord Farrer.*) And the City Lands Committee?—The City Lands would be Mr. Brand, the Comptroller. He is the Conveyancing Officer of the Corporation, and attends and minutes those Committees.

6515. And the Police?—The Police would be the Commissioner and the Police Receiver.

6516. Open Spaces?—Well, the Open Spaces would be especially the Superintendent of Epping Forest, and the Chairman of the Coal and Corn and Finance Committee, that has especially the management of it, and Mr. Overall, the clerk to that Committee.

6517. (*Chairman.*) The Irish Society?—That would be Mr. Durie Miller, the Secretary of the Irish Society.

6518. (*Lord Farrer.*) The Port of London Sanitary Committee?—Dr. Collingridge. In fact, I would furnish the secretary with the details of all these gentlemen, if you pleased.

6519. I think that would be convenient.

6520. (*Chairman.*) Yes. Looking through the table of contents, Sir John, do you see any heading as to which you would be the proper person. If so, we could take supplementary evidence now from you?—Well, I do not know whether you want information as to the principal officers that appear down at the bottom of page 4. I could give generally, as secretary of the Corporation, I could tell you as to the nature, duties, and emoluments of their respective offices. But probably you have that in sufficient form.

6521. We have a good deal of that?—In fact, you have it in the book—the Lieutenancy—if anything the Clerk of the Lieutenancy, Mr. Henry Grose Smith, the markets, and open spaces, and Port of London Sanitary, are dealt with. Water supply—there is nothing to be said about it, that is not in this book; it is very much in abeyance in the City.

6522. (*Mr. Crawford.*) The City Remembrancer can tell us all about that?—On Parliamentary matters, of course, Mr. Goldney would be a very proper witness.

6523. (*Lord Farrer.*) You can answer this question, the Court of Common Council have recently refused to act upon the recommendation of their Water Committee, have they not?—No. They have not clearly refused to act upon it. It was sent back again for reconsideration. Points were raised that were not entirely answered satisfactorily; they have been sent back for reconsideration.

6524. What was the proposal? Was it to carry out the arrangement?—I think it was merely to carry on the agreed idea you know. But inasmuch as the Remembrancer said that nothing could be done till next November the Court thought it was undesirable to hurry it at the moment, and they could reconsider it and bring it up again.

6525. It is merely in abeyance?—It is merely in abeyance, a little turning on the fact, that it was the last Court of the year, and a great deal of work doing, The Educational Institutions I could speak generally of; but if any details were wanted their respective officials would be the proper persons. The Library and Art Gallery, and so on—the Library, Museum, and Reading Room, nobody would be better than the Librarian. I will give his name to Mr. Gleadowe, if it is thought desirable.

6526. Very full information upon those things is given?—It is; but you might formally like to take it from him to get it on record. I mean you might take half a dozen of those gentlemen and dispose of them in the hour.

6527. You can answer this question—the Library and Museum are quite open to every one, are they not?—Absolutely.

6528. There is no charge and no question asked, anybody may go in?—Quite. I think there is a limit of age; that is all. A child may not go in unless accompanied. That is so absolutely.

6529. And the library; is the library a lending library, or only a reading library?—A reading library.

6530. A reading library?—There is a small lending library for persons connected with the Corporation, the clerks and others; but it is not a public lending library yet. The question of a public lending library is being mooted.

6531. Yes. I should like to ask you one other question about your offices there. You have not at all more accommodation there than you want for your present business, have you?—No, certainly not. In fact, we are always adding, and doing the best we can, as you, Lord Farrer, saw, when you did us the favour to go over it once. The place is in a sense—well, without saying inadequate, it is not more than adequate. We have no spare accommodation of any kind.

6532. You have an extremely handsome Council Chamber; but your offices are not much better than those of the London County Council?—Probably not so good.

6533. I can hardly say anything worse?—We are very cramped for room, there is no doubt.

6534. (*Mr. Smith.*) And it would be impossible, I suppose, to extend without great cost?—Without considerable cost. It is a matter that has been discussed once or twice, taking property in the neighbourhood; it might be done.

6535. (*Lord Farrer.*) It is extremely expensive property there, is it not?—Oh, no doubt.

6536. (*Mr. Smith.*) There is no absolute reason why the administrative offices should be in the same place as the Council Chamber?—There is no absolute reason of the character you suggest. It would be very inconvenient if they were not, you know. I mean to say, one is perpetually sending to the offices—I am myself—for books and papers of all kinds and sorts; in fact, a speaking tube and an electric bell are absolute necessities there for the despatch of business.

6537. (*Lord Farrer.*) For a certain time the Corporation were good enough to lend the Corporation Chamber to the County Council?—That was in my mind; and you did manage to bring books and papers with you. But I daresay there was some inconvenience.

6538. Very considerable inconvenience?—There must have been.

6539. (*Mr. Smith.*) Probably when that happened you had not got the offices at present adjoining the Guildhall at your disposal.

6540. (*Lord Farrer.*) The Council certainly had not?—No. But Lord Farrer's point was, what occurred to me, namely, that the Council Chamber where they met, was away from their offices—namely, a mile away.

6541. (*Mr. Smith.*) But if, in addition to the loan of the Council Chamber, they could have had a certain number of offices such as you at present have for the purpose of bringing up any papers that they might require, the difficulty would mainly have been got over, I should think?—Well, but you never know what papers and books may be required.

6542. (*Mr. Crawford.*) If we had turned out and given them vacant possession, that would have been most convenient.

6543. (*Mr. Smith.*) I mean there would have been no practical difficulty, would there?—Shall I furnish Mr. Gleadowe, then, with a list of the people who can give evidence upon these points?

6544. (*Chairman.*) If you please?—As I say, half-a-dozen of them might be wanted up here at once.

6545. We shall be glad to have a list, if we desire to call any one of them.

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The witness withdrew.

(*The room having been cleared, the Secretary read the following letter received by him from the Town Clerk.*)

"Guildhall, E.C.,

"Sir, December 18th, 1893.

"Adverting to my communication of the 12th instant, the Special Committee of the Corporation have to-day met to consider the reference from the Court of Common Council of the 11th inst., agreeing with the Committee's recommendation:—'That in 'view of the assurance of the President of the Local 'Government Board, the Minister most responsible 'for the issue of the Royal Commission, that in 'tendering evidence before the Royal Commissioners 'the Corporation shall not be prejudiced in any 'future Parliamentary action, and relying upon the 'willingness of the Royal Commissioners to receive 'evidence upon the convenient practicability of amal-'gamation, it be recommended that the Court do 'accede to the request of the President of the Local 'Government Board, and authorise the Special Com-'mittee to prepare and tender to the Royal Commis-'sioners the fullest amount of evidence procurable on 'the problem submitted for their solution.'

"As the Royal Commissioners are aware, this reference was the outcome of the report of the Special Committee to the Court of Common Council of the 5th instant, printed copies of which were forwarded by me for the use of the Royal Commissioners on Tuesday last, and on page 4 of which will be found set out the main reasons which induced the Special Committee to recommend the Court of Common Council to continue the giving of evidence, the principal reason being the full belief which the Special Committee had that 'The Royal Commissioners will 'give effect to the desire of Her Majesty's Govern-'ment, as expressed by the President of the Local 'Government Board, in the following words:—

'I am most anxious as the Minister most re-'sponsible for this Commission, that the greatest 'amount of evidence should be given.'

"It appears to the Corporation that the evidence placed before the Royal Commission has been mainly directed to the position of the Corporation, and also that of the London County Council, and that the position of the Metropolitan Local Authorities, consisting of 26 Vestries and 13 District Boards, has not been fully dealt with.

"The Corporation ventures to think that, in any future scheme for the Government of London, it is of the highest importance that full attention should be paid to the present position and comparative independence of such Local Authorities, an independence granted to them by Parliament after careful inquiry and report by a Royal Commission, which reported most strongly against the expediency of placing the whole of the Metropolis under a single Municipal Corporation.

"The Corporation respectfully submit that no change in the present County Government of London should be recommended without grave consideration of the present constitution and efficiency of such Local Authorities.

"I am therefore desired to express the intention of the Corporation, in addition to continuing to amplify by verbal testimony the printed statement of the Corporation submitted to the Royal Commission on the 26th day of October last, to submit such evidence upon all or some of the following heads, as may assist the Royal Commissioners in forming a judgment as to the convenient practicability of amalgamation, namely:—

"The area, population, and rateable value of the present vestries and district boards.

"The existing powers and duties of such vestries and district boards.

"The execution by such vestries and district boards of their statutory powers and obligations, and the desirability of their extension or diminution.

"The general relations which exist between such vestries and district boards and the County Council.

"The necessity for the continued existence of powerful local bodies in the Metropolis, to represent their respective localities.

"The undesirability of allowing the County Council to acquire certain minor powers at present vested in bodies other than the County Council, which powers the County Council suggest might, with advantage, be concentrated in the central body. The powers and duties of commissioners of baths and washhouses, also of public libraries, &c., and how such might be assumed by local authorities.

"The transference to local authorities of certain powers and duties now vested in Poor Law authorities.

"The general mode and extent to which the County Council is capable of administering powers, duties, and obligations, in addition to those now granted to or imposed upon it, and the general evidence of the Corporation in regard to City matters.

"I have been instructed by the Special Committee, to hold myself in readiness to continue my evidence on Wednesday next.

"It will, however, be quite impossible for me to attend on Thursday next, being St. Thomas's Day, as the holding of the various wardmotes will necessitate my personal attendance at Guildhall during the entire day. Under these circumstances, and as the Commissioners will doubtless recognise the convenience of the evidence of the Corporation being continued without any long break, the Special Committee suggest that the resumption of evidence by the Corporation may not disadvantageously be postponed until the first meeting of the Royal Commission in the new year.

"Awaiting an early reply,

"I am Sir,

"Yours faithfully,

"John B. Monckton.

"To G. E. Yorke Gleadowe, Esq."

After discussion it was decided that the following reply should be returned by the Secretary to the Town Clerk.

6547. Sir:—Before replying specifically to your letter of the 18th my Commissioners desire me to express their satisfaction at your resumption to-day of the evidence in relation to the Blue Book put in by the Corporation, and at the intimation they have received from you that this evidence may be followed up by similar evidence from other officers of the Corporation specially acquainted with particular subjects treated of in this Blue Book.

Proceeding to your letter of the 18th, I am directed to say that the Commissioners are very unwilling to pronounce decisively at this moment against the reception of any evidence which may be prepared and submitted to them. They would wish to give the greatest latitude possible to the witnesses before them, but they would lay down as principles guiding their action:—

1st. That all evidence submitted must be relevant to the inquiry with which they are entrusted, namely, "the amalgamation of the City and County of London," including evidence referring to convenient practicability.

2nd. That the evidence given should be, as far as possible, at first hand by those persons best qualified to tender it.

20 Dec 1893.

In accordance with these principles the Commissioners would observe that if evidence were tendered respecting the position, powers, and duties of Vestries, District Boards, Poor Law Authorities, or any other authorities within Metropolitan area, such evidence should come from the authorities themselves; and next that inasmuch as the view the Commissioners take of their task does not extend to the thorough reorganisation of the relations between the County Council, or whatever body may ultimately be at the head of the administration of the Metropolis, and such Vestries, District Boards, and other authorities, the Commissioners do not at once perceive how evidence in relation to these local authorities such as is suggested in your letter comes naturally within the scope of their inquiry. At the same time the Commissioners are aware that the problem of amalgamation may be approached from many points, and might be accomplished in many ways, and they cannot give a final answer as to the possibility of receiving any branch of the evidence in question; and it would be a great assistance to them if they could be favoured by the Corporation with any suggestion or outline of a scheme of amalgamation which would show the relevancy of the proposed evidence to the task they have to discharge.

My Commissioners repeat that they are most unwilling to be supposed to put any obstacle to the reception of evidence, and they make this reply to prevent, if possible, the contingency of evidence being prepared at great expense of time and labour which would in the end appear to be inadmissible.

To the Town Clerk.

Adjourned till Thursday, the 18th January 1894, at 11 a.m.

SIXTEENTH DAY.

18 Jan. 1894.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 18th January 1894.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. HENRY HOMEWOOD CRAWFORD.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

6637. (*The Secretary.*) Since the last meeting I have received the following letters from the Town Clerk:—

"Royal Commission on the Government of London.
"Guildhall, E.C.,
"MY DEAR SIR, January 5th, 1894.

"A SPECIAL Meeting has been to-day held of the Committee having this matter under their consideration, and your letter of the 20th ultimo has been read and considered. In result I am directed to acknowledge its receipt, and to say that for the immediate purposes of the inquiry the officials and others mentioned in the enclosed list, hold themselves in readiness to give evidence on the subjects set against their respective names. The letter generally is so little in accordance with the expressions and assurances of the President of the Local Government Board at the interview with which he favoured the Special Committee on the 30th day of November last, that it is received by the Committee with the greatest disappointment, and they hope its terms will yet be reconsidered so as to admit of the tender and reception of the greatest possible amount of evidence obtainable on the important question of London government.

"I am
"My dear Sir,
"Yours faithfully,
"JOHN B. MONCKTON.

"To G. Gleadowe, Esq., C.M.G.,
"Secretary."

"The Chamberlain - } Finance.
"Mr. William Payne (late Principal Clerk). }

"The Recorder - } Central Criminal Court, and Mayor's Court.
"The Common Serjeant - }
"The Associate - }
"The Registrar - }

"Mr. Commissioner Kerr - } City of London Court.
"The Registrar - }

"The Comptroller - } City Lands and Bridge House Estates.
"The Surveyor - - }

"The Commissioner of Police. } Police.

"The Remembrancer - Parliamentary.

"Mr. Knott (Principal Clerk in Town Clerk's office). } Markets.

"Mr. Youle, (Clerk to Justices). } Licensing and other Sessions, City Lunatic Asylums.

"The Coroner - - } Inquests (and Fire Inquests).

"Mr. Overall } (Minuting Clerks) } Open spaces.
"Mr. Stanier }

"London Government,
"Guildhall, E.C.,
"MY DEAR SIR, January 9th, 1890.

"I THINK it well to supplement the list already sent you of persons who are best calculated to give evidence on various specific subjects, and do so accordingly.

"Faithfully yours,
"JOHN B. MONCKTON.

"To the Secretary,
"Royal Commission, &c.

"The Secondary.—Conduct of City elections, &c.
"Mr. Douglas (Chief Clerk).—Justice Room, Mansion House.
"Mr. Savill (Chief Clerk.)—Justice Room, Guildhall.

"Mr. Renwick (Secretary, City of London School) - - } Education.
"Mr. C. P. Smith (Secretary, Guildhall School of Music) - }

"Dr. Collingridge (Medical Officer). } Port Sanitary.

"Additional:—
"The Superintendents of the several Markets."

In reply, by desire of the Chairman, I sent the following letter:—

30, Abingdon Street, S.W.,
"My Dear Sir, January 9, 1894.

"In reply to your letters of the 5th and 9th instant, I am desired by the Chairman to say that he thinks it would be convenient to take the further evidence which the Corporation have tendered upon their statement in two groups, that relating to Law, Justice and Police on Thursday, January 18th, and the remainder on the following day; and he would be much obliged if you would kindly make arrangements for the attendance of the witnesses whose names are given on the lists enclosed in your letters accordingly, viz.:—

On Thursday.

"The Recorder "The Common Serjeant "The Associate "The Registrar	As to the Central Criminal Court and Mayor's Court.
"Mr. Commissioner Kerr "The Registrar	As to the City of London Court.
"The Commissioner of Police.	As to Police.
"Mr. Youle (Clerk to Justices).	Licensing and other Sessions, City Lunatic Asylum.
"The Coroner	Inquests and Fire Inquests.
"The Secondary	Conduct of City Elections.
"Mr. Douglas (Chief Clerk).	Justice Room, Mansion House.
"Mr. Savill (Chief Clerk)	Justice Room, Guildhall.

On Friday.

"The Chamberlain "Mr. William Payne (late principal clerk).	As to Finance.
The Comptroller "The Surveyor	As to the City Lands and Bridge House Estates.
"The Remembrancer	As to Parliamentary Matters.
"Mr. Knott (Principal Clerk in Town Clerk's office).	As to Markets.
"Mr. Overall } (Minuting "Mr. Stanier } Clerks)	As to Open Spaces.
"Mr. Renwick (Secretary City of London School). "Mr. C. P. Smith (Secretary, Guildhall School of Music).	As to Education.
"Dr. Collingridge (Medical Officer).	Port Sanitary.

"Additional:—
"The Superintendents of the several markets.

"I am,
"My Dear Sir,
"Yours faithfully,
"G. Gleadowe."

"To the Town Clerk.

Then I got the following letter:—

"Royal Commission, London Government.

"Guildhall, E.C.,
"My Dear Sir, January 12th, 1894.

"In reply to your letter, for which I thank you, I beg to say that neither Recorder nor Common Serjeant can, having regard to their official duties attend on Thursday.

"This being so, I propose to transpose the days, and that your suggested list for Friday shall be present on, as far as practicable, Thursday, and *vice versâ*. 18 Jan. 1894.

"The numbers seem large to me, but the Chairman, under whose instructions you write, is the best judge of that.

"I am,
"Yours faithfully,
"John B. Monckton."

"To the Secretary,
"Royal Commission, &c.

I have also received—it was just put into my hands as I came here—a letter from the vestry of Saint Mary Abbott's, Kensington:—

"Offices, Town Hall.
"Kensington High Street,
"Sir, January 17th, 1894.

"I am directed by the Vestry of Kensington, to forward you the enclosed copy of a resolution unanimously passed by them at their meeting this evening, and have to ask that you will be good enough to bring such resolution before the Royal Commission now sitting on the question of the Unification of London, at their meeting to-morrow.

"I am,
"Sir,
"Your obedient servant,
"Wm. Chambers Leete,
"Vestry Clerk."

"To the Secretary,
"Royal Commission, &c.

"The Vestry of the Parish of Saint Mary Abbott's, Kensington, in the Administrative County of London.

"Extract from the Minutes of the proceedings of the Vestry of St. Mary Abbott's, Kensington, at a meeting held at the Town Hall, Kensington, on Wednesday, the 17th day of January 1894.

"It was moved by Mr. R. A. Robinson, seconded by Mr. George Nelson Watts, and resolved unanimously:—

"That, in the opinion of this vestry, it is highly desirable, with a view to the preservation of the true principles of local self-government, that in any scheme for the better government of the Metropolis, the powers, duties, and responsibilities of local authorities should be enlarged rather than curtailed, and that this can best be attained by the establishment and incorporation of a number of municipalities, vested with full municipal life and privilege.

"That a copy of the foregoing resolution be communicated to the Corporation of the City of London, with an intimation that in the event of a satisfactory scheme being formulated on the above basis, it will receive the favourable consideration of this vestry.

"That the views of the vestry as embodied in the above resolutions, be forwarded to the Royal Commission now sitting on the question of the Unification of London, and to the President of the Local Government Board.

"Certified to be a true extract,
"William Chambers Leete,
"Vestry Clerk."

6638. (*Chairman.*) We had better proceed with the reception of the evidence now.

6639. (*Mr. Crawford.*) I desire to mention, Mr. Chairman, with regard to the question of evidence, that most unfortunately the City Chamberlain has been confined to his house during the last four days with an attack of influenza, and the doctor prohibits him from leaving his room. I did not think it necessary to furnish a doctor's certificate with regard to the fact, but to save any inconvenience to the Royal Commissioners, the Town Clerk has taken care that a gentleman who was in the service of the Corporation for a period of 45 years, and under whose supervision the accounts have been annually prepared, will take the Chamberlain's place, and will afford the Royal Commissioners every information in his power,

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and will also deal with the accounts which have been criticised by Mr. Gomme in his analysis of the Corporation's accounts.

6640. (*Lord Farrer.*) Is that Mr. Payne?

6641. (*Mr. Crawford.*) That is Mr. Payne, who was principal clerk for a great many years.

6642. (*Mr. Crawford.*) I think with regard to Mr. Payne you might take him shortly over just the preliminary statement that appears in the Blue Book, and then I believe a proof has been prepared for your guidance, from which, perhaps, it may be convenient for you to examine him.

Mr. W. Payne.

Mr. WILLIAM PAYNE, late Principal Clerk to the Chamberlain of the City of London, called in and examined.

6643. (*Chairman.*) Will you tell us, Mr. Payne, what your position is?—Until recently I held the office of principal clerk to the Chamberlain of London, a position which I had occupied for nearly 40 years. I have been in the employ of the Corporation for a period of 53 years, and have served under six Chamberlains.

6644. When did you retire?—At the end of November of the last year; the last day of November of 1893.

6645. And you are familiar with the Chamberlain's duties and his accounts?—Yes, I am. Part of my duty was to superintend the entering and posting of the various accounts kept in the Chamber, regard being had to the requirements of the various Acts of Parliament and standing orders of the Court of Common Council regulating the same, and to prepare annually for printing the accounts published by the Corporation; also to attend the Commissioners of Sewers and the various committees of the Corporation, and the auditors of the Chamberlain's and Bridge-master's accounts annually, with the accounts for audit.

6646. What is the precise position of the Chamberlain. You need not go into the history of the office; page 99 at the bottom tells you that?—Page 100 at the bottom. The Chamberlain by the latest deed of covenant, entered into by him with the Corporation, is described as having been from time immemorial treasurer or banker of the City, and in that capacity has had the care and custody of the moneys of the Corporation of London, called the City's cash, and of the several funds committed to the management of the Corporation and of the Chamberlain. This Chamberlain's deed to which reference is made goes on to declare, that in his capacity of treasurer or banker, he has received for his own benefit and advantage the profits and emoluments derived from the interests and dividends and use of the securities and cash balances from time to time in his hands and otherwise from the investment thereof.

6647. What is the date of that deed of covenant you refer to there; do you mean when the present Chamberlain was appointed first?—The present Chamberlain's deed—that is the latest deed—is that of the 26th February 1892, entered into upon the appointment of the present Chamberlain, Sir W. J. Richmond Cotton.

6648. The Chamberlain is elected by the Common Hall?—By the Common Hall.

6649. Is he re-elected every year?—Every year; subject to annual re-election.

6650. He does not enter into a separate deed every year?—No.

6651. He no longer has the interest of his balances for his own personal advantage?—They are regarded as his property, but he has covenanted to limit the amount of the profits which he shall take—the proportion that he shall take. They are still his property as Chamberlain, and it is only by agreement with the Corporation that he has disposed of the profits after having received the salary or the allowance fixed by the Corporation.

6652. Although the interest may be in theory his property, he enters into an arrangement by which he receives a fixed sum out of it, and the rest goes to the Corporation?—The balance after paying all the expenses of the office, and after relieving the various trust funds of any charges that would otherwise be made upon them for the management of their accounts, the remainder—the balance—is then transferred to the credit of the City's cash, but specifically for the purpose of reimbursing certain salaries which are regarded as having some interest and part in the earning of the moneys, that is, the salaries of the Town Clerk, the Comptroller of the Chamber, of the City Solicitor, and their clerks.

6653. And do those salaries together exceed the balance so transferred?—Very considerably.

6654. Will it come in relief of charges which would have to be discharged any way?—Which would have to be discharged by the Corporation any way, no doubt.

6655. There is an annual volume prepared, is there not, of the accounts of the City's cash?—There is; that will be stated very clearly in the subsequent evidence.

6656. How are these accounts prepared?—The accounts of the Corporation, called the Chamberlain's accounts, are prepared and stated as directed by resolutions of the Court of Common Council, of the 13th September 1860, and the 16th November 1871, upon reports of the Coal and Corn and Finance Committee, and they are printed in conformity with the 46th standing order of the Court of Common Council. May I hand in the two reports mentioned upon which the accounts are rendered?

6657. Were these drawn up by Mr. Scott?—By the Committee; by the Coal and Corn and Finance Committee. The report of 1860 was mainly founded upon suggestions made to the Committee by the late Chamberlain (Mr. Benjamin Scott), who placed himself in communication with the seven largest corporations in the country, and also with the then Home Secretary, to whom such corporations were then required to account, the information derived from which communications showed that the greatest diversity existed as to the form, arrangement and mode of rendering the accounts of the different corporations, and that no particular form of account had been prescribed by the Government. The Committee of 1871 stated that having directed much time and consideration to the subject, they approved the system and form of the accounts generally, but came to certain resolutions recommending modifications in the mode of stating the accounts in their printed form, chiefly with the view of rendering them more explanatory to the members, and ultimately passed the following resolution:—"Resolved unanimously that this Committee, having reviewed the system of 'charge and discharge,' upon which the Corporation Accounts are based, desires to express its unqualified approval of the said system, and it further approves the generally efficient and intelligible mode in which the several accounts of the Corporation are kept in the Office of the Chamberlain." Abstracts of the various accounts are rendered under the signature of the Chamberlain, and the account of the produce and expenditure of the City's Cash prepared for the auditors is supplemented by a statutory declaration, that the same is just and true.

6658. The declaration of the Chamberlain is that?—Yes, by an oath or a statutory declaration of the Chamberlain that the same is just and true; the accounts have been so verified for a period of upwards of 100 years.

6659. (*Mr. Crawford.*) The reason why I think Mr. Payne is going thus fully into it is because there was some adverse criticism made in regard to the mode in which the Corporation accounts were kept; the phrase used was that they were unnecessarily complicated and complex; and the object of the Chamberlain is to show the Royal Commissioners that

there has been every desire on the part of the Corporation to keep their accounts in a perfectly intelligible manner, and he wishes to explain at length why it is that you still find the Corporation accounts kept in their present form. I think it is perhaps desirable, seeing that there has been adverse criticism, that we should have the full explanation?

6660. (*Chairman.*) You have prepared this evidence in view of certain adverse criticism, have you?—Partly.

6661. Have you got that criticism definitely at hand to refer to?—I have not. This has rather reference to previous criticism.

6662. (*Mr. Crawford.*) Mr. Gomme's?—The criticism in Mr. Gomme's evidence is dealt with afterwards.

6663. The Chairman's question to you is whether you have before you the criticism to which you refer?—I have.

6664. Will you kindly point it out to the Chairman?—Yes.

6665. It is in Mr. Gomme's statement?—Yes, in page i of the memorandum furnished by Mr. Gomme to the Commission, and the third paragraph.

6666. Read it out please?—"This method of keeping the accounts makes them very voluminous and "unnecessarily complex, a very large number of the "subsidiary accounts being simply transfers from one "account to another, which apparently do not serve "any purpose of great importance."

6667. I take it your evidence is to show that they do serve a useful purpose?—Yes, I have a memorandum giving some further explanation with regard to the system of the accounts, the reason why they are kept in the form that they are kept; it perhaps bears upon that.

6668. (*Chairman.*) Go on?—The system of accounts is based upon the consideration that the Chamberlain is treasurer and banker as well as the accountant of the Corporation and his accounts are kept and rendered in a form more in accordance with the custom of a banking business, than the practice adopted in mercantile concerns. No banker, however, would furnish accounts in the amplified form in which they are required by the Corporation or Parliament. Then I remark that although no separate capital accounts distinct from revenue accounts are kept, the items of capital are invariably distinguished from those of revenue in the abstract statements by a line being drawn between the items of revenue and capital. The abstract to be found at the commencement of the last published accounts of the Corporation furnished to the Royal Commissioners will show this.*

6669. (*Mr. Crawford.*) You had better proceed, Mr. Payne. Every year a tabulated statement of receipts and payments of the City's cash during the previous 10 years is printed and circulated among the members of the Court of Common Council under the direction of the Coal and Corn and Finance Committee, these series of tabular statements were first published in the year 1857, commencing with the year 1847. I produce copies of such statements. These are tabulated statements of the accounts of the Corporation beginning with 1847 and ending in 1893. An estimate of the probable receipt and expenditure of the City's cash for the current year is also prepared, printed, and published annually under the direction of the Coal and Corn and Finance Committee framed chiefly upon the averages of the previous three years. I produce prints of estimates for the four years from 1889 to 1892.

6670. (*Chairman.*) This is an estimate of what will be the receipts and expenditure for the year?—The estimated account for the City's cash alone, of course, for the information of the Corporation with regard to their own funds—City's cash, not for the accounts connected with the Corporation generally; those are dealt with by the various Committees to whom the Trusts are committed; they, so to speak, manage their own finance, although the Corporation is interested. As to the means at their disposal out of the City's cash, constant applications being made to them for money, they desire to know whether their means are likely to be sufficient to meet those applications for extraordinary expenditure.

6671. (*Mr. Crawford.*) These estimates refer to the City cash, as distinguished from trust moneys?—Yes.

6672. To what date do the City's accounts go back?—We have a complete series of the accounts of the Corporation, that is to say, the City's cash,—in a good state of preservation, the first copy of which is on the table of the Commissioners, I think, commencing with the year 1633.

6673. You have that here?—I have that here.

6674. And you have every account since the year 1633?—1633, yes.

6675. In the same form in which we see that account?—No, by no means in the same form; in the form modified from time to time as the circumstances of the Corporation required modification, I might say that it has been modified partly twice within my own period of service, on reports of the Committee, which have been quoted already, those of 1860 and 1871, mainly 1860.

6676. How long have the accounts been printed as they are now?—Since 1784.

6677. Printed and published?—Printed and published, and circulated to the members of the Court of Common Council, and accessible to any citizen on payment of a small fee.

6678. (*Chairman.*) And all these accounts are audited also?—Yes.

6679. How are they audited?—The accounts of the City's cash and certain accounts connected with the City's Estate, the Bridge House Estates, the Gresham Fund, the Epping Forest Fund (capital and income), and Ward's People's Recreation Ground Fund are audited by the auditors appointed by the Livery in Common Hall, in pursuance of Act XI. Geo. 1. cap. 18. The Epping Forest Accounts are so audited in pursuance of section 42 of the Epping Forest Act, 1878, and the account of the Ward's People's Recreation Ground Fund, in accordance with a scheme sanctioned by the Chancery Division of the High Court, on the 12th of August 1886. The other Public and Trust Funds are likewise audited by the City Auditors, and are also audited by the several Committees charged by the Corporation with their administration.

6680. Are these auditors appointed annually?—The auditors are appointed annually.

6681. In Common Hall?—In Common Hall.

6682. Do the same persons serve year after year?—No, for two years only; they are changed every two years. Every year two new auditors are elected who serve for two years, they then go out of office, and they may be re-elected after an interval of one year or more, but they go out of office.

6683. How many auditors are there?—Four.

6684. Four, and two go out every year?—Two go out every year.

6685. And are ineligible for one year?—For one year.

6686. You have an annual examination of securities apparently?—In the month of December in every year the Chairman of the Coal and Corn and Finance Committee, accompanied by a deputation of two or three members, attends at the Chamberlain's Office to examine and check the securities in the strong room belonging to the Chamberlain in his official capacity, and those deposited by bankers and others, as collateral securities for moneys temporarily deposited in connexion with various trusts and public funds the moneys of which have been invested, and to examine the certificates and to verify the registered stocks, &c. in the names of trustees in the Bank of England and elsewhere belonging to the Corporation, and the various trusts connected therewith as shown by the books in the chamber.

* *See* Gomme, 10,685.

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6687. (*Mr. Crawford.*) In addition to the public audit that you refer to, is there not a system of "charge and discharge"—will you explain that to the Royal Commissioners—which acts as a further check upon the accuracy of the accounts; I think you give it on page 4?—That is the system which is applied in connexion with the audit of accounts; the Comptroller, who is an independent officer, reports annually to the Court of Common Council, and his report is usually printed and circulated among the members of the Court: he reports the total amount of charge upon the Chamber, so far as the City's cash is concerned, and the Bridge House Estates; and he afterwards at the time of the audit reports to the auditors from his own books the particulars of the amount of the revenues which were receivable—which should have been received—by the Chamberlain in order that the auditors may make them the basis of the examination of the accounts.*

6688. That is to say, the Comptroller, a separate officer, makes his report as to what ought to have been received by the Chamberlain?—Yes.

6689. And before the Chamberlain can discharge himself he has to account for that?—He has to account for what he ought to have received.

6690. That is what you call "charge and discharge"?—Charge and discharge. The Chamberlain discharges himself at the audit by the production of the warrants and vouchers with the receipts attached of those to whom the moneys were ordered to be paid by the Courts or Committees having the control and administration of the funds.

6691. (*Chairman.*) How is this Comptroller appointed?—By the Court of Common Council; he is one of the high officers of the Corporation.

6692. Not in Common Hall?—Not in Common Hall; by the Common Council.

6693. Annually?—He is subject to annual re-election.

6694. (*Lord Farrer.*) He always is re-elected, I suppose?—He always has been in my experience—the Comptroller.

6695. (*Mr. Crawford.*) He is called, is he not, the Vice-Chamberlain or Deputy-Chamberlain?—Yes; he is the Vice or Deputy Chamberlain.

6696. (*Chairman.*) Does he sit in the Chamberlain's office?—No, he has a distinct office of his own; he has many duties to perform besides charge and discharge; he is the conveyancing officer of the Corporation, and he has custody of all the title deeds of the Corporation, of very great value, which are under his charge and control; but he sits in the Chamberlain's office, that is, in the Chamberlain's chair, when he performs his duties as Vice-Chamberlain, in regard to apprentices, the adjudication upon apprentices; in the absence of the Chamberlain it is his duty to act as his "Vice."

6697. (*Mr. Crawford.*) But he has nothing to do with the Chamberlain's office in connexion with the accounts?—He has nothing to do with the Chamberlain's office in connexion with the accounts excepting occasional communication between the two departments on the subject of the charge; furnishing particulars of moneys receivable with details of the rents from time to time as settled by the Corporation, and weekly market revenues.

6698 Is there any Standing Order relative to the mode in which the Chamberlain has to honour warrants or cheques for payment of moneys?—Yes; there are several Standing Orders regulating that matter.

6699. Will you give us the principal one, Mr. Payne, you refer to; on page 4, I see you refer to it?—The 50th Standing Order, for instance, of the Court of Common Council requires that no warrant for a sum exceeding 100 guineas is to be honoured by the Chamberlain unless the date of the Order of the Court consenting thereto is inserted in such warrant. The Court of Common Council limits the expenditure of the moneys of the Corporation by the various Committees, and unless, pursuant to the Standing Order, the resolution of the Court of Common Council consenting to the expenditure is inserted in the warrant, the Chamberlain can pay no warrant exceeding the sum of 100 guineas, and that only on the assumption that the purpose for which the money is drawn has been in general terms previously referred to the Committee as part of the business of the Committee to carry out. That is to say, there is no unlimited power of drawing upon the funds of the Chamber by Committees.

6700. (*Mr. Holt.*) Would it be in the power of the auditors to criticise any payment that was made and to object to any such payment as not coming within the terms of the Trust; have the auditors not the power of criticising that?—I should say certainly, if they found that any payment was not within the terms of the Trust to their knowledge, or was not within the Standing Orders of the Court of Common Council, I should say decidedly it would be their duty to point it out.

6701. It is their duty to examine the nature of the payments as well as the amount, to see vouchers; it is more than simply an audit of payments?—Yes, that they are in conformity with the Acts of Parliament under which the trusts are managed and also with the Standing Orders of the Court of Common Council; it is not held to be the duty of the auditors to criticise the nature of the payment, the amount of the payment, nor to criticise the bills or the accounts thereof, or to object to the expenditure itself; provided that it be Corporation expenditure, and expended under the regulations and rules of the Corporation. They have no power of surcharge like that which is given to auditors, I think, under the Municipal Corporations Act and other Acts.

6702. (*Chairman.*) The Corporation is completely master of its own cash?—Of its own cash.

6703. And the duty of these auditors is to see that the cash is spent in accordance with the regulations of the Corporation?—Of the Corporation.

6704. (*Mr. Smith.*) As matter of fact there is no power of surcharge in connexion with Municipal Corporations, you are thinking of Local Government Audit?—Local Government Audit.

6705–6. (*Mr. Crawford.*) The auditors present their report to the Livery, do they not?—The auditors present their report to the Livery annually. I have copies of the annual reports for the last four years, which have been sent to the Livery, and have been subsequently reported to the Court of Common Council by the Town Clerk, who is the officer of the Livery meeting or Court of Common Hall: and those accounts are usually printed—always, indeed—printed and circulated in the minutes to every member of the Court. These are the minutes, Mr. Chairman, each year containing the reports of the audit of the account of the previous year, the accounts ending 31st December.

6707. (*Mr. Crawford.*) Those are minutes of the Court of Common Council, and they contain copies of the auditors' reports?—They do.

6708. (*Chairman.*) How do you keep your securities?—The debenture bonds and other floating securities belonging to the Corporation, the Chamberlain, and the several trusts, are kept in safes in the innermost strong room of the Chamber, those representing investments on behalf of the profit and loss account of the Chamberlain's Office, in safe No. 1 the securities for moneys deposited as collateral securities for moneys lent at interest, subject to withdrawal at call or on notice, in safe No. 2 and in a third safe the securities held on behalf of the various public and trust funds, all of which pursuant to the regulations described above are kept under three locks, the keys being held respectively by the Chamberlain, his chief clerk, and cashier, the presence of all of whom is required for the unlocking of each safe. The registered stocks and debentures which are not strictly payable to bearer only in the case of the profit and loss or banking account of the

* *See* Gomme, 10,685.

Chamberlain are registered in the names of the Chamberlain, his chief clerk, and cashier, and all other debentures and inscribed stocks, not being bearer bonds, belonging to the City's cash and the trust funds are registered in the names of the Corporation trustees, viz., the Chamberlain, the Town Clerk, and the Comptroller of the Chamber.

6709. Now, has there ever been any loss of the City funds in recent years?—Not certainly within the present century, nor, I think, has there been any loss, so far as the general funds of the Chamber are recorded, for two or three centuries. I think in one case of a Chamberlain appointed by the Crown, it was reported there was some difficulty, but within living memory there has never been any kind of defalcation in regard to the funds of the Corporation in the Chamberlain's Department.

6710. And so far, irrespective of the subject upon which money has been spent, the money has been always strictly accounted for and strictly kept?—Yes.

6711. You have looked through Mr. Gomme's statement upon your accounts?—Yes, I have carefully read through the statement put in by Mr. Gomme, and also the evidence given by him in support of the same.

6712. What is the first observation you have to make?—Well on page ii the first statement relative to the funds of the Corporation is, that in the four years' transactions on the General Estates a net deficit of revenue of 74,001*l.* 19*s.* 5*d.* is shown, made up by Mr. Gomme as follows:—

	£	s.	d.
A surplus balance, 1889, of -	641	16	6
A minus or deficit balance in 1890 of - - -	19,599	14	0
and in 1891 a minus or deficit balance of -	33,574	7	6
and in 1892 a minus or deficit balance of -	21,469	14	5
resulting in a net deficit amount for the four years of - -	74,001	19	5

as mentioned by Mr. Gomme. This is shown by Mr. Gomme at pages 9, 17, 25, and 33 of his statement.* I say I have found it difficult or impossible to trace clearly the way in which this deficit is made up. Assuming that the deficit can be satisfactorily accounted for in the way that has been stated by Mr. Gomme, I have to remark that such a deficit cannot be regarded as arising from normal expenditure. It may be explained in a way, perhaps, more satisfactory than the explanation which is given by Mr. Gomme in the sentence following on the page. And I have also a remark to make which, perhaps, I might make at this time, that the way some of the items of which this assumed deficit is composed are made up is beyond my comprehension. As to the real reason for it, as set out in page 9, for instance, in which he places the net balance, I think I may leave these two pages; the net balance of revenue for the year, I do not object to that, but in page 17, that is for the year 1890——

6713. (*Chairman.*) Is this Roman xvii?—No, Arabic 17. The deficit amounting in 1890, in his total, is made up of these items:—

	£	s.	d.
Schools - - -	9,413	11	9
Pensions to officers - -	1,012	11	7
Almshouses - - -	1,925	13	1
Donations - - -	7,247	17	7

I cannot understand why those amounts are aggregated together making the balance of 19,599*l.* 14*s.* as they do, unless it is to balance the account of the revenue and expenditure in some form.†

6714. (*Mr. Crawford.*) You had better deal with the next two years while you are on that—1891 and 1892?—The same thing applies to the next two years: 1891, page 25, and there the amount of 33,574*l.* 7*s.* 6*d.* is made up of a balance of revenue, 1,971*l.* 1*s.* 4*d.*; Schools, 14,060*l.* 1*s.* 9*d.*; Pensions to school officers, 1,787*l.* 0*s.* 5*d.*; Almshouses, 1,975*l.* 4*s.* 2*d.*; Donations, 6,548*l.* 6*s.* 3*d.*; Library Museum and Art Gallery, 7,232*l.* 13*s.* 7*d.*, making a total of 33,574*l.* 7*s.* 6*d.* for the year 1891.

6715. (*Chairman.*) You need not go through these, let us understand exactly, do you quarrel with these figures as results?—I am not able to trace really under what heads those deficiencies should be placed. It cannot be these heads; these particular amounts have been paid during the year 1891 by the Corporation, but I do not see that they have any relation to the deficiency which Mr. Gomme has made out. The deficiencies must have arisen from the general expenditure of the Corporation as compared with the general receipts. There have been payments out of the general revenues of the Corporation in aid of schools.

6716. Quite so; but the Corporation does receive annually certain sums in respect of its schools; fees of the City of London School, for example?—Yes.

6717. And it has an annual expenditure in respect of schools?—Yes.

6718. In the year 1891, did the expenditure exceed the receipts by 14,000*l.*?—No, I do not say that it did. Because we had not any receipts from schools so far as the City's cash is concerned. There is expenditure, amounting to 14,060*l.*, in support of schools, but there were no receipts; it must have been paid, undoubtedly, out of the general revenues of the Corporation, but why that particular item should be assigned as the cause of the deficiency I cannot tell; it is one of the items of the expenditure of the Corporation, that is all.

6719. You mean to say the Lord Mayor's salary might have been put down as the cause?—That might have been put down as the cause, or any other item of expenditure might have been put down as the cause with quite as much propriety, I think. I cannot understand; I can only explain that I do not understand this mode of accounting for the deficiency, but I may be allowed afterwards to explain.

6720. Does it amount to this: that you object to the classification of the accounts?—I do, in that respect; to me it is incomprehensible why it should be set down against those items.

6721. If certain branches of expenditure and receipt are distinct in character, and you can say how much the expenditure exceeds receipt or the other way, if you can keep those apart from the general accounts of the Corporation; does it not facilitate a knowledge of the whole transactions to keep them separate?—I do not think it does; I apprehend the reason why perhaps these amounts are set down here is because they come under what are called "optional expenditure" on the part of the Corporation, an expenditure which the Corporation are free to disburse or otherwise. I apprehend the Corporation could limit their expenditure on any other items of their account, if it was their will, in preference to limiting it upon this. Almost all the expenditure of the Corporation may be said to be optional; they are not bound to pay the salaries that they do, and other expenditure to the same extent.

6722. It is not to the discredit of the Corporation that they are shown to be spending a good sum of money upon schools?—I think not.

6723. (*Mr. Crawford.*) What is the explanation, Mr. Payne, with regard to the deficit?—If I were asked to account for the deficiency I should say it could be accounted for in a more satisfactory way. An amount exceeding the amount which Mr. Gomme has mentioned as expenditure, the total being 86,216*l.* 7*s.* 6*d.* made up of the following items—if you would desire me to read them, for the year 1889——

6724. (*Chairman.*) No, wait a moment; do not go through them all separately?—There are items of special works which are not likely to recur, and were much more of an optional character than those

* *See* Gomme, 3577, 8594 sqq.

† *See* Gomme, 10,683.

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selected by Mr. Gomme; the erection of Billingsgate Buildings, for instance, was not incumbent upon the Corporation, they incurred that expenditure with a view to assisting Billingsgate Market, and they spent that money on the erection of buildings contiguous to the market, consisting of 7,502*l.*, I think, in 1889, 14,983*l.* 11*s.* 4*d.* in 1890, in 1891, 4,117*l.* 18*s.* 0*d.*, and in 1892 for the completion, or nearly so, of the buildings, 3,987*l.* 11*s.* 9*d.* Those amounts were all entirely optional expenditure and, in fact, of a remunerative character; the buildings were built and are let as offices and for the purposes of the fish trade, and are remunerative; other extra expenditure coming upon the Corporation without perhaps proper notice is here mentioned and other expenditure which has been of entirely a voluntary kind—technical education, for instance, 1,000*l.* each year; equipment of volunteers also 1,000*l.* in that year; and parliamentary disbursements in respect of gas and water which the Corporation has incurred not only for the citizens but for the metropolis at large in the year 1892, 4,703*l.* 7*s.* 0*d.* The total of these expenses, which, if one had to select and say what was the cause of that deficiency, are those which I should select certainly in preference to those which have been selected by Mr. Gomme to account for the deficiency, and the total of those is 86,216*l.* 7*s.* 6*d.* being excess of the 74,000*l.* shown as the deficiency.*

6725. You do not quarrel with th final result; the final statement of deficiency is accurate?—I do not quarrel with it because I cannot discover the foundation of it really and how he makes it up.

6726. Is it the final total result that you cannot discover or the allocation?—It is in fact a cash deficiency, from which he separates what to the Corporation is cash, really, received from the reserve fund. For instance, the 20,000*l.* during that period which came into the account as cash represents previous savings; another item also of some 32,497*l.*, which is carried to the credit of the City's cash from the reserve fund, also belonging to the Corporation, came in as cash, being repayment of a loan which had been advanced by the Corporation about 15 years, I think, before to the Kew and other bridge committee at compound interest. They were not to receive the interest year by year because they were not in possession of the Coal Duties until the year 1889. They then repaid the whole, I think, with compound interest at 3¾ per cent.; that amounted to 32,497*l.* 12*s.* 4*d.* Now, the Corporation did not apply that towards the above expenditure, amounting to 86,216*l.* 7*s.* 6*d.*, but they applied the money towards the discharge of a portion of the Holborn Valley debt, which I shall refer to if you will allow me afterwards to show that the Corporation have been in the habit of reducing debt beyond what has been recognised or allowed in Mr. Gomme's statement. But the deficiency, supposing it to be allowed that the statement is correct, is to be accounted for in a different way altogether, and in a more satisfactory way so far as the Corporation's finances are concerned than in the way in which Mr. Gomme has accounted for it.

6727. (*Lord Farrer.*) Will you allow me to say that I think you make a mistake in thinking that the account No. VIII. is an account of the deficiency; the balance is carried forward from one account to another, and No. VIII. is only the final result of Mr. Gomme's account; as far as I understand it the deficiency may arise in any one of the items contained in the previous accounts, therefore the thing to attack is not the expenditure for optional purposes, that is not what he puts in as the cause of the deficiency; the cause of that deficiency, if there is a deficiency, arises from the whole of the expenditure. The other answer that you give is that the expenditure in these years is exceptional; and that, no doubt, is a good reply if that is an expenditure which will never recur?—I do not contend that; as I say, I am not satisfied with the way in which that account is made up. If Lord Farrer's observations refer to the analysis of the General Funds which are dealt with by Mr. Gomme I think his intention is to show that these are all matters connected with the General Estates of the Corporation. You will see in the statement to which allusion is now made that he mixes up Bridge House Estates and the City of London Grain Duty, and the Gresham Estates and a number of other funds, but I do not think he has carried forward either plus balances or minus balances arising from those funds to his ultimate deficiency. He has dropped those balances in some way which I am not perhaps able to explain.*

6728. You cannot point that out?—I cannot point out that; he has brought all the balances against the general estates of the Corporation, but he shews that during these years there was a deficiency of over 74,000*l.* He says that we have sold property for the purpose of partly making up the deficiency. I can hardly admit that I can account for these items.

6729. (*Mr. Smith.*) Have you had these figures tested by any independent accountant?—Tested? Well, no. I do not know that any independent accountant has done that. I think many friends have tried their hands at them, but have failed to fathom them.*

6730. (*Lord Farrer.*) Have you made out any statement of your own of the balance of these four years?—Yes.

6731. Have you got that?—I have subsequently.

6732. It will come afterwards?—If you will allow me, after the criticism of Mr. Gomme's statement.

6733. I only interrupted, because I thought you misapprehended Mr. Gomme's meaning. Mr. Gomme, I am satisfied, does not intend to say that the deficiency has arisen upon this particular account, but upon the whole of the accounts.*

6734. (*Mr. Crawford.*) No, but if you look, Lord Farrer, at page ii. you will see the statement which is put forward. I think the only deduction is, when you come to explain the items—the deduction which Mr. Payne has drawn. It may not have been the intention of Mr. Gomme, but his observations are open to that deduction.*

6735. (*Mr. Smith.*) Does it very much matter if you have got the final result admitted?

6736. (*Mr. Crawford.*) It matters in this way; that Mr. Gomme, although stating that there has been a deficiency, does not, as we say, accurately show how that deficiency has arisen, whereas Mr. Payne is now explaining to you how that deficiency has arisen.

6737. (*Mr. Smith.*) Mr. Payne does not seem quite capable of doing that, I think?

6738. (*Mr. Crawford.*) I think he was stopped; he was going to give you items, and the Chairman suggested that he had better not go through them all?—Mr. Gomme has another way of explaining this, how this 74,001*l.* 19*s.* 5*d.* was provided; that follows on page 2. This deficit was made up by (1) a reduction of the cash balances from 46,137*l.* 5*s.* 4*d.* at the beginning of 1889 to 7,930*l.* 6*s.* 1*d.* at the end of 1892, or a total reduction of 38,206*l.* 19*s.* 3*d.*; (2) transfers from the reserve fund of 28,821*l.* 10*s.* 1*d.*, and (3) sales of property, 6,984*l.* 15*s.* 3*d.* Then he gives the balances at the beginning of each year, and the balances at the end of each year, bringing out an ultimate balance of 74,001*l.* Well, in that account he admits that he does mix up certain of these accounts, but they are not so mixed up that I could at all object to it; merely these amounts that he adds to the City's estate generally are all connected with the City's estate and all bear upon it. These are brought in; for financial purposes and for necessary purposes these accounts are all kept separate from the City's cash, the City's estate, but these amounts, these balances form an unimportant part of the 74,000*l.* The main deficiency arises from the City's cash expenditure. The reserve fund, for instance, is brought into the

* *See* Gomme, 10,683.

* *See* Gomme, 10,683.

account in order to show part of that deficiency. The reserve fund is kept separate from the City's estate. That is a mixture, but it is not so much mixed as I thought at first it was, looking to the way in which the accounts are stated in the pages to which allusions have been made in these several years. In the Arabic figures he has not brought forward any balance more or less either upon the Bridge House estates or upon the City of London Court account, or upon the Gresham account, therefore he has not completely amalgamated these funds in bringing out the balances, he has brought them out after his own method, but it makes it to me equally unsatisfactory as being a true deficiency, excessive expenditure on the City estates for those years. I admit that the accounts of the Corporation from the point of view in which he has stated them somehow or other permit of such a balance being brought out, but the actual figures which I can refer to shew that afterwards the amount of the expenditure in excess of receipts during the four years was 38,200*l.* and not 74,001*l.**

6739. (*Lord Farrer.*) How much do you make it?—38,200*l.*

6740. In all the four years?—But, as matter of fact, it is only a matter of cash between the beginning of the four years and the end of the four years without going into the question whether it was annual expenditure, and whether it was incurred during that period or not

6741. (*Mr. Smith.*) Your accounts are cash accounts, are they not—they are not assets and liabilities?—They are not assets and liabilities.

6742. Then it would be strictly correct, would it not, to treat the figures as cash, because this only purports, I understand, to be an exemplification of the City Chamberlain's accounts?—It is an analysis of the Chamberlain's accounts, of all the accounts put together.

6743. Substantially, does not your evidence come to this: that while you agree with the total you differ as to the allocation?—I differ as to the allocation, but I cannot say that I agree with the total.

6744. Do you disagree with it?—I could not make it out to my satisfaction; that is all I say.

6745. (*Mr. Crawford.*) He does disagree with it?—Why should he bring the balance out minus as he has set out here; it could not be so, I think.

6746. (*Lord Farrer.*) Can you detect the errors into which he has fallen—he gives all his figures in detail?—Well, I do not say that they are errors, he shows the figures, but it does not, I think, truly represent that in the four years the transactions of the general estates and funds, there was a net deficit in income of 74,001*l.*

6747. (*Chairman.*) Well, now, take the first year, Mr. Payne, page ii of Mr. Gomme's statement. Is it true that you keep in your accounts these separate balances, City Estates, Library Account, School of Music, and so on?—Yes, but they are kept distinct.

6748. They are separate balances?—They are separate balances and separate accounts.

6749. Very well; and does that first column represent the balance shown by your accounts at the beginning of the year?—I have no doubt it does.

6750. And does the second column represent the balance at the end of the year?—I have no doubt it does.

6751. And the third column represents the increase or diminution of balance at the end of the year?—Yes; I have no doubt of it.

6752. Very well, taking these accounts together they show at the end of the year an increase of balance of 641*l.*?—Yes, an increase of balance; that is so.

6753. Do you dissent from that?—I do not dissent from it; I do not dissent from the figures.

6754. And in detail that 641*l.* represents an increase of some of the balances and a decrease of others, and so with respect to the apparent diminution of balances in the next year, 19,000*l.*, the bottom of the same page?—Yes.

6755. Do you dissent from those figures?—No.

6756. Then do you allow that those figures bring out the alterations of balances in the course of the four years?—Yes.

6757. The alteration of balances, therefore, in the course of the four years would show a diminution of 74,000*l.* on the balances?—On the balances, yes.

6758. Then do you quarrel with the explanation by which that diminution has been brought out?—Yes; not here, of course; I do not quarrel with the way in which he accounts for the diminution of the accounts on pages 7, 9, 17, 25, and 33, so set forth, which I have enumerated previously.

6759. Whereas on accounts you admit a diminution of balances of nearly 20,000*l.* in 1890?—Yes.

6760. Mr. Gomme accounts for that by saying that 9,000*l.* was spent over receipts in respect of schools; you would say, "I will account for that by so many "thousand pounds being spent upon buildings at "Billingsgate, and so many thousands elsewhere*"?—Yes, that is my evidence.

6761. That is the purport of your criticism?—Yes.

6762. (*Mr. Crawford.*) Then you go a little further, do you not; I think Mr. Payne, in answer to Lord Farrer, you stated that you did not agree with the total amount, of the deficit, whereas Mr. Gomme makes it 74,000*l.*, you bring it out with your explanation at 39,000*l.*

6763. (*Mr. Smith.*) That is only by taking one item out, which is cash.

6764. (*Mr. Crawford.*) Well, I do not quite understand Mr. Payne's objection, and perhaps you will explain it please?—I shall do so when I get to that item: I think it would be better to go on with Mr. Gomme's analysis.

6765. You want to go on in your own way?—I want to explain subsequently how that 74,000*l.* is made up, and from what accounts. I have furnished the 10 years' statements.

6766. You have gone carefully through the statement, and you have dealt with it page by page, and you want so to deal with it before the Commissioners, is that so?—I should like to do so; I thought at this juncture I might say that with an expenditure during those four years of something like 206,446*l.*, that could not be said to be obligatory upon the Corporation, there is an abundant margin for the 74,000*l.* which is alleged to have been expended beyond our resources.

6767. (*Chairman.*) How much money?—206,446*l.*

6768. What page are you on?—Page 13, made up of the items of the previous pages, 86,000*l.* and 89,000*l.*, which includes the amount paid off the Holborn Valley debt, which at the time was not obligatory on the Corporation, nor even at that time was the interest obligatory upon them, because the interest would not fall upon them until the whole of the assets belonging to that fund were exhausted. They undertook to pay that interest at once, and the other items mentioned, namely, 9,445*l.* and 21,324*l.* amounted to 206,446*l.* 2*s.* 8*d.**

6769. You bring out of what you call optional expenditure certain extraordinary expenses of 86,000*l.* in four years, 89,000*l.* odd paid off the Holborn Valley debt, and certain other charges, some small, but some considerable?—Yes.

6770. The Grain Duty charge?—I did not make a point about expenditure for police because that will be contested, but there have been investments on account of the City of London Grain Duty Sinking Fund towards the discharge of debt, namely, in 1890, 11,872*l.* 10*s.* 5*d.*; in 1891, 7,622*l.* 10*s.* 7*d.*; and in 1892, 1,829*l.* 8*s.* 7*d.* which would be a portion of the 74,000*l.*

6771. (*Mr. Crawford.*) During the years 1890, 1891, and 1892 there has been 9,445*l.* additional contribution from the City's cash towards the London Police

* *See* Gomme, 10,683.

* *See also* Gomme, 10,683.

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Force?—Which might go towards accounting for the 74,000*l.* in preference to the items which are mentioned by Mr. Gomme as accounting for it.

6772. (*Chairman.*) Well, now, go on. "The plan "of this analysis" Mr. Gomme states, "of the accounts of the Corporation of the City is devised to "show the entire financial operations of the Corporation for the four years 1889, 1890, 1891, and 1892." And then, again, I take the next paragraph: "The "materials from which the analysis has been prepared "are the published accounts of the Chamberlain." He enumerates them. My answer to that is: The analysis is prepared with a view to an amalgamation of the accounts in order to show the result of the unification of all the funds at the disposal of the Corporation, whether free or connected with Trusts or funds created by Act of Parliament, or the financial position of the Corporation as a whole. In my judgment it is a misleading hypothesis to assume that in the event of the amalgamation or unification of the City with the rest of the metropolis as regards Local Government or administration, the funds of the City could be consolidated in the manner suggested by the analysis. The property and Trusts must undoubtedly be transferred unimpaired and unaltered to any new Authority to which their future administration may be committed."*

6773. (*Chairman.*) I am not quite sure that you have understood him there. You say that he brings in Trust funds as well as the ordinary funds of the Corporation?—Yes, funds that the Corporation holds in trust only apparently.

6774. Is it not also the case where the Corporation is under an ultimate obligation in case of the failure of the specific funds of the Trust?—It includes such funds undoubtedly; the whole of them are brought in—he brings the whole of them in, of every character.

6775. (*Lord Farrer.*) But with regard to all of them the City expends the money and is liable?—But it could not take in all these surpluses from any of those funds; it could not appropriate the surpluses.

6776. (*Chairman.*) It is liable to make good a deficiency?—It may be liable to make good a deficiency, that is all. It does happen in some funds; it is a complaint. I can point out certain cases.

6777. (*Lord Farrer.*) Surely you are going a little beyond what we are dealing with when you say "if London were unified." This is merely an attempt to analyse the accounts of the City as they have stood in these years. There is no hypothesis involved in it at all?—He states it himself.

6778. There is no hypothesis involved except that the City has to deal with all these funds, and is liable for deficiencies upon these funds.

6779. (*Mr. Crawford.*) I fancy, Lord Farrer, you will find later on in his statement that he uses these words, or very similar words himself, if my memory serves me rightly.

6780. (*Lord Farrer.*) He may state what would happen supposing there were unification—but that statement is quite independent of the analysis itself.

6781. (*Mr. Crawford.*) At pages 41 and 42, I fancy it is.

6782. (*Lord Farrer.*) Now, I should like to ask you, you do not dispute the accuracy of the figures as they stand, that is, the 74,000*l.*—you do not dispute the accuracy of the figures as they are taken?—No.

6783. You do dispute what we may call the ledgering—the way in which they are appropriated—the way in which the deficiency is appropriated?—Yes.*

6784. Has the City any ledger account of its own which would show how they would appropriate it?—No.

6785. There is no general account, that is to say?—Of course the City ledgers and the ledgers of he various funds all speak for themselves.

6786. But it is not ledgered into one account?—No; they have never amalgamated or consolidated their accounts together, for the reasons I have stated, that they are separate trusts, they have no direct bearing on one another. The only position of bearing which the trust funds may have upon the funds of the Corporation is the privilege of making up any deficiency that may arise; but they do not assume any deficiency in anticipation.

6787. But you have no account which shows on one page the whole of the receipts and payments of the Corporation from year to year?—Yes. I cannot say that, because a sheet is issued every year.

6788. That is a balance sheet?—Which sheet contains a list of the obligations of the Corporation.

6789. That is the capital?—Many of which have been incurred—all of which have been incurred—in respect of these trust funds, and if there should be any necessity for recourse to the City's cash in consequence of there being any deficiency on the trust funds there are the estates of the Corporation to meet them.

6790. I know that, that sheet—I used a wrong expression—I mean a cash account. You have no cash account which shows how the City stands upon all those operations?—No, there is no such account.

6791. I want to ask you one further question; Mr. Gomme has given, at page vi, a statement of what he considered exceptional expenditure,—do you agree with that, or do you not agree with it? Page vi?—Yes; I agree with that—that that is so far exceptional, but not final. That does not contain the whole of the items, because I have given a number of others.

6792. You think there are other items besides?—There are other items.

6793. You agree that it is exceptional, but you think there are other items which are also exceptional?—Yes.

6794. (*Mr. Smith.*) That includes the Billingsgate Buildings, which I notice you have referred to?—Yes.

6795. (*Chairman.*) All those are enumerated in them specially?—They are: those amount to 64,000*l.*; they come very near up to the mark.

6796. (*Mr. Crawford.*) I notice in the statement which you have handed in to the Chairman—take the year 1889, your figure is 20,107*l.* 11*s.* 10*d.* as against Mr. Gomme's 16,740*l.* 7*s.* 6*d.*; for 1890, 26,753*l.* 10*s.* 4*d.*, as against 21,425*l.* 16*s.* 5*d.*; for 1891, it is 16,540*l.* 7*s.* 5*d.*, as against 13,498*l.* 12*s.* 9*d.*; and in 1892, it is 22,814*l.* 17*s.* 11*d.* as against 12,957*l.* 17*s.* 10*d.*?—That is so, Sir.*

6797. (*Chairman.*) That is partly because you have put in amongst the extraordinary expenditure, such things as contributions towards technical education fund and the equipment of the volunteers?—Yes.

6798. Scarcely capital expenditure that?—No, I regard it as exceptional expenditure, not likely to recur.

6799. In a great Corporation like the City has been and may continue to be, that sort of expenditure could scarcely be curtailed?—The same expenditure would come under some other head if the Corporation could afford it.

6800. (*Mr. Smith.*) Did not you get some money from the Government for technical education?

6801. (*Mr. Crawford.*) Not a penny. The Government got some from us.

6802. (*Chairman.*) We need not go into those details?—Mr. Gomme says, at page 1, paragraph 3, "This "method of keeping accounts makes them very "voluminous and unnecessarily complex." I reply to that, that the apparent complexity arises from the necessity of keeping the produce and expenditure of the City's estate (City's cash) separate from that of public and trust funds regulated by various Acts of Parliaments, deeds, wills, &c. the receipts and expenditure of which cannot be properly amalgamated with one another or with the City's cash.

* *See* Gomme, 10,683.

* *See* Gomme, 10,683.

Those only are kept separate which are essentially distinct, and could not be legally consolidated. The revenue from the City markets, however, ought not to be separated from the City's cash, because they form part of the general estates of the Corporation, and are not trust estates but are "at the free disposal of the Corporation."

6803. (*Chairman.*) That is your remark?—That is my remark. The funds connected with the Bridge House estates, Gresham estates, and the Grain Duty should not be amalgamated with the City's estates, being subject to wills and Acts of Parliament, &c. Those are my remarks about the complexity of the accounts.*

6804. All that amounts to is that they are properly complex or properly divided up, although it may be necessary for that general view to bring them together?—That is my view, yes. Then: "A very "large number of subsidiary accounts being simply "transfers from one account to another."

6805. (*Mr. Crawford.*) That is a statement by Mr. Gomme?—By Mr. Gomme. My answer, is, that there are no unnecessary subsidiary accounts. Although stated to be a very large number, Mr. Gomme does not instance one; a reason, however, could be given for each of the very few subsidiary accounts (not more than six) which are so kept for convenience or perspicuity; those only are kept separate which are essentially distinct.

6806. (*Chairman.*) Mr. Gomme did not use the word "unnecessarily"; he did not say they were unnecessarily subsidiary?—No, he did not use that word; he said there were a great number simply transfers, and so on.

6807. You may both be right?—According to his opinion.

6808. Your method of keeping the account may be perfectly right for your own purpose, to show how each branch of expenditure and each account is kept, and yet it may be necessary for the general purpose of considering the financial position of the City to bring them all together?—Yes.

6809. And that is what Mr. Gomme has attempted to do?—Yes. He says:—"One object of the "analysis has been to resolve the whole transactions "into a simple matter of receipt and expenditure, "and the result is to show what a small sphere the "whole financial transactions of the Corporation "occupy in London municipal affairs." If I may be allowed to remark upon that, had the only object of the analysis been to resolve the whole transactions into a simple matter of receipt and expenditure, no objection could be taken. But the analysis does not include the whole financial transactions of the Corporation. If it had done so the result would have been to show that the sphere the Corporation occupies in London is not small as compared with that of the London County Council. The whole financial transactions of the City, including the banking transactions of the Chamberlain, amounted in the year 1892, receipts and payments, to the aggregate of 5,702,091*l.* 17*s.* 7½*d.* (I have put it here pounds, shillings, and pence, I should rather have said about five millions and a half), while those of the County Council, as shown by their published accounts of receipts and payments for the year ending 31st March, 1892 (they include certain transfers made from one account to another, which appear to be objected to by Mr. Gomme), appear to amount to an aggregate of about eleven millions and a half. So that while the City accounts amount to five and a half millions the County Council amount to eleven millions and a half.

6810. (*Lord Farrer.*) And what are the items which you think Mr. Gomme has left out in this analysis?—He has not brought them in.

6811. Which he has not brought in?—He takes a very limited number of the receipts of the Corporation.

6812. Well, I am asking you what are there which he has not taken into account?—I hardly know what he has taken into account. He says the object of the analysis is to show——

6813. Never mind his object; what I want to know is, what further accounts there are of the City that Mr. Gomme has not taken into account?—He has omitted the reserve fund, for instance, Clerkenwell improvement, and other accounts.

6814. I think that is brought in?—He does not show anything like the amount of the whole of the transactions of the City.

6815. (*Mr. Smith.*) He would not show movements of capital account. That is what you mean, is it?—He does no show the banking transactions of the Chamberlain.

6816. No; it only professes, you know, to be an analysis of the Chamberlain's book?—Yes.

6817. There is no figure in this that is not in the Chamberlain's book; and I take it that there is no figure in the Chamberlain's book that is not in the analysis.

6818. (*Mr. Crawford.*) Yes; but what Mr. Payne objects to, Mr. Smith, is the remark of Mr. Gomme that "one object of the analysis has been to resolve "the whole transactions into a simple matter of "receipt and expenditure, and the result is to show "what a small sphere the whole financial transac-"tions of the Corporation occupy in London Municipal "affairs."

6819. (*Mr. Smith.*) I think you will not find much of that upon the evidence. We have taken very little notice upon controversial information.

6820. (*Mr. Crawford.*) It has gone out to the world—we know the statement has been largely distributed to the press and commented upon—and this is Mr. Payne's answer on behalf of the Chamberlain.

6821. (*Chairman.*) Is it so, Mr. Payne? You say the total receipts and payments in the year 1892, of the City, would amount to 5,700,000*l.*?—Yes, sir.

6822 What are included in that?—The receipts and payments of the City's cash proper that are contained in the statements which have been laid before the Commission to day; the receipts and payments of the various trust funds which are kept separate; the receipts and payments of the Commissioners of Sewers; they are all transactions of the Chamber of London, and the Corporation is so far concerned in them, and of the police fund also—the receipts and payments of the police fund, and all the various funds and financial matters which come through the hands of the Chamberlain, through the Chamberlain's accounts, which make the aggregate of the receipts and payments in our books of the amount that is here set out, about five and a half millions. In some years it has amounted to above seven millions, the years that include large loan transactions.

6823. (*Mr. Smith.*) Do they appear in this book?—Yes, the greater part.

6824. The police?—Yes.

6825. And the Commissioners of Sewers?—Yes.

6826. They all appear?—Yes. I have included a few, say, 7,000*l.* a year, in addition, that are not published in that book, trusts not connected with the Court of Common Council—that is only about, say, 7,000*l.* a year on either side. All the other accounts are included in that book, except the banking transactions, and may be aggregated from those figures to that amount. I take the receipts. If a loan is raised, that is a financial transaction. It involves a great many entries, and receiving money from the various parties who contribute the loan; and, when that is expended, that, of course, involves a further large amount of transactions also. I have the receipts on one side and the expenditure on the other side as transactions of the Corporation.

6827. (*Lord Farrer.*) Do you include in your 5,700,000*l.* the receipts on account of loans and expenditure on your capital account?—Yes, I include in it loans as repaid by the Corporation on one side:

* Appendix XI., p. 1, par 3.

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all the bonds are cancelled, and the several amounts which are due are paid to the persons who hold those bonds; then, if the bonds are renewed by the Corporation, we make entries of the loan on the other side. I consider that a financial transaction of the Corporation.

6828. (*Mr. Smith.*) Movements of capital would multiply figures enormously if those were always brought in?—We do not multiply them, but they pass through the Chamber. In my position I felt a responsibility, the receipt of money from a loan, although it is a loan, is a financial transaction.

6829. Commonly called turnover?—Turnover; it is not merely a turnover.

6830. (*Mr. Crawford.*) You had better go on, I think, Mr. Payne?—I do not know that I need say anything about the area of the City and the Metropolitan Board of Works. A much larger responsibility rests upon them. The rateable value of the City is a little over 4,000,000*l.* and the rateable value of the district under the control of the London County Council exceeds 29,000,000*l.*; therefore the financial transactions necessarily would be supposed to be much larger within the County Council than in the City; but it only shows that they are twice as great as the City; it does not seem to justify the description of so "small a sphere." Mr. Gomme states that "there are two classes of operations; first, "those relating to the general funds at the free disposal of the Corporation; secondly, those relating "to the trust funds, and funds created by Act of "Parliament. The transactions in both of these "classes reveal the total expenditure of the Corporation; but a detailed analysis is necessary to show "the effect of such expenditure upon the revenues of "the Corporation. The balance of revenue remaining "at successive stages, after charges have been paid, "is shown in order to test the capacity of the "revenue to bear the expenditure which has been "placed upon it." This memorandum contains eight particulars——

6831. (*Chairman.*) You need not go through those, I think?—And then, "the balance of revenue "at each of the eight stages is shown, and those "balances which do not fall into the general funds "of the Corporation are stayed at the point where the "trust fund ceases." I apprehend it is there where Mr. Gomme's analysis is misleading, although he says he only brings forward the balances which concern the City Estates. Well, then, the first item of the analysis consists of "revenues from funded property and dues "and duties." Mr. Gomme, under this first head includes the revenues of General Estates of the Corporation those of the Gresham Estates, the Bridge House Estates, Blackfriars Bridge Estates, bequests, and so he goes on, adding from time to time the various trust funds, grain duty, coal and wine duty; and then brings in the receipts of the Holborn Valley Improvement, Clerkenwell, and all the other funds of the Corporation, all merged and brought together. The division of the receipts and expenditure into eight classes does not appear to answer any useful purpose, while the consolidation of the accounts under these heads appears to be based upon the assumption that all funds could be legally amalgamated; but for this, there can be no justification in law or equity; such accounts being incapable of unification upon any just principle. The results of such experimental consolidation lead only to erroneous conclusions and which cannot possibly be admitted by the Corporation as a reliable basis for estimating its present or future financial position. The separation of the market revenues from the general revenues of the Corporation called City's cash on the one hand and the amalgamation of the trust funds and the funds arising from the rates levied on the citizens on the other hand are equally misleading and fallacious. In the former case, a distinction is drawn between one portion of the City's Estates and the other, and in the latter case there is a mixing of funds which are essentially distinct from the City's Estate and from one other. I wish to criticise that mode of analysis because the Corporation cannot recognise it as being a true statement of their affairs; the several funds ought to be distinguished the one from the other.*

6832. (*Lord Farrer.*) You said you would come in the end to a statement that you make yourself, of the whole account of the Corporation, did you not?—Yes.

6833. (*Chairman.*) Go on, Mr. Payne?—As regards the analysis of the revenue and expenditure of the Corporation on page 2 (Arabic Nos.), divided into eight classes, I desire to draw attention to the items of receipt and expenditure, of which these eight classes are composed, and which are set forth for each of the four years, 1889, 1890, 1891, and 1892, and are found from pages 2 to 33 (Arabic Nos.), showing gross and net revenues and disposal of balances. (1.) Revenues from real and funded property, and dues and duties. The items under rents, premiums, fines for leases, &c., *exclude* the revenues from the city markets, and *include* the revenues from the Gresham Estates, held in trust for the Royal Exchange, &c., the Bridge House Estates held in trust for the City Bridges, the Grain Duty appropriated to Epping Forest and other open spaces, and the Coal and Wine Dues applicable by Act of Parliament to public improvements.* After deducting the charges against gross revenue, the net balances arising from these various sources are carried forward. A further item arising from interest on securities and cash balances is added to the total; the revenues from the Corporation markets (including the Deptford Cattle Market and the Coal Market) are also added. The application of these balances is then shown under the following heads, such heads not corresponding with the headings of the City's cash statements, but being made up by the addition of items derived from the trust and public funds, which are kept separate from the City's cash by the Corporation. Then under these heads—Permanent Works, Justice and Police, Administrative Purposes, Mayoralty and Civic Purposes, Optional Purposes—he shows under their various heads the moneys which have been expended under those heads, which leads to the further remark that the expenditure under these heads is of so mixed a character as to make the analysis of little or no value as an elucidation of City finance, but why the surplus revenue arising from the markets, amounting in 1889 to 4,067*l.* 9*s.* 8*d.*, should be specially hypothecated to expenditure for "donations" needs further explanation. In the Arabic figures (Mr. Gomme's), page 8, that is a specific case; there you see the 4,067*l.* 9*s.* 8*d.*, the surplus revenue arising from markets, is disposed of by being placed under the head of "donations." We did not apply it; that has not been applied to donations by the City.

6834. (*Mr. Crawford.*) Just take Mr. Gomme's account into your hand, and point out to the Chairman to what you are alluding?—The column is in page 9, sixth division; column 85 is the number. Then for the following three years the surplus of the markets is placed under various other heads, as will appear by reference. In 1890 the Arabic figures, page 15, and Roman figures the division is VI.; the column—I have not got the number of the column, "General Establishment Expenses."

6835. 61, the column is?—1890.

6836. Just read out the items so that we can follow them?—1890, 1,812*l.* 19*s.* 11*d.*, is in column 61. The surplus of the markets of that year, 13,446*l.* 0*s.* 10*d.*, is shown in column 55, page 14 Arabic, and division VI.

6837. (*Chairman.*) What year are you in?—1890.

6838. Page 14?—Page 14, yes; and the column, that is in the lower part of the page, it is column 61, and under that column against the line of markets, which is the balance on the markets of column 55, 13,446*l.*, of that 812*l.* 19*s.* 11*d.* is accounted for, and then the balance is carried over, 12,533*l.* 0*s.* 11*d.*, to the next page.

* *See also* Gomme, 10,683.

6839. (*Mr. Crawford.*) You have not told us under what it is accounted for, "General Establishment expenses"?—General Establishment expenses—Yes. It is next carried over to the next page, 12,533*l.* 0*s.* 11*d.*, and then further accounted for, under "receptions, honorary votes, and civic functions," 910*l.* 9*s.* 9*d*, in column 72.

6840. That is page 17?—That is page 17, column 72; and then the next item is 1,126*l.* 12*s.* 0*d.*, "pensions for civic officials," and the next item, "law "and parliamentary" expenditure 3,043*l.* 16*s.* 9*d.*

6841. That is under column 74?—Column 74, The total is then carried forward, 7,452*l.* 2*s.* 5*d.*, and the balance, that is, of the markets, carried down to Division VIII., under the "application "of revenue to optional purposes," and that 7,452*l.* 2*s.* 5*d.* is then disposed of by an amount placed under the column 81, to "library, museum, "andart gallery," 6,317*l.* 1*s.* 2*d.*; and 1,135*l.* 1*s.* 3*d.*, column 82, under the head of "Schools." That makes 13,346*l.* 0*s.* 10*d.*, the surplus revenue from the markets of the year, which, according to Mr. Gomme's analysis, is being appropriated and applied to those several various purposes. In the year 1891 and 1892, under similar heads, they vary a little.

6842. (*Chairman.*) This comes to the same thing, does it not? Do you object to the way in which Mr. Gomme explains how the different items of expenditure were met?—Yes. The above mode of absorbing the surplus arising from markets does not appear to be based upon any principle, but to be a fanciful mode of adjusting the City's expenditure. The surplus revenue of the markets forms part of the City's cash, and is applicable towards its general municipal expenditure. That is the remark I make upon that.

6843. Well, that surplus from markets was available for City purposes?—Yes.

6844. And after the funds finally dedicated to those purposes were finally exhausted?—Yes. The profits of the markets are civic property, and they are free to use them for any of their purposes. They are our markets. Any City expenditure would be paid out of these receipts.

6845. Mr. Gomme has suggested for the purpose of accounts, you keep the markets' expenditure and the markets' receipts separate?—He has all through.

6846. All through; and when you find the general expenditure is in excess of the City General Estates he comes to the balance which is available, and takes from that whatever is necessary?—That is what he does.

6847. That is all that it amounts to?—That is what it amounts to.

6848. If anything, you would put the market's income into the general receipts in the first place?—It has always been so. It is always considered part of the general revenue applicable to general expenditure.

6849. To the students of City affairs, does not this show it a little more clearly?—I think not at all. It is incomprehensible to me why those expenses should be assigned to the surplus of the markets. Surplus revenue of the markets forms part of the City cash, and is available towards general expenditure; that is my remark.

6850. Whereas here he keeps it apart until it is wanted to make up a school deficiency or some other deficiency; then he takes so much as is wanted for that purpose, and carries over the balance?—That is so; yes. The revenue and expenditure of the Rating Authorities of the City of London, he speaks of it, page 34, I think. The remarks with reference to the amalgamation of the general revenues apply in a measure in relation to consolidating the Sewers and Police Rates. He puts those two rates together. The rates are levied under the powers of separate Acts of Parliament, and collected and managed under separate authorities. The Commissioners of Sewers are amenable to the Corporation as regards their appointment only. The management (so far as equipment, housing, &c.) of the police is concerned rests with the Committee appointed by the Corporation under the City of London Police Act, 1839, who have joint powers with the Police Commissioner. The duties of the two bodies are completely distinct, and the police rates are in no way chargeable with the debts of the Commissioners of Sewers, or *vice versâ*. The main objection on the part of the Corporation to the mode in which the Special Committee of the London County Council have caused the accounts of the Corporation to be stated is that the deductions derived therefrom are unsound as regards the true financial status of the Corporation.*

6851. That is the same thing over again?—The conclusion at which (page xlii) Mr. Gomme appears to have arrived is that in order to adjust the revenue and expenditure at the present time it would be necessary to impose upon the inhabitants of the City an additional year rate of $2\frac{3}{10}$ of a penny in the pound upon the present rateable value, viz., 4,163,655*l.*, I think, which it is estimated would produce 39,902*l.*,† in order to make up the deficiency Mr. Gomme suggests that it will be necessary for the City or for the body which may afterwards become responsible for the matter to impose a County rate; and to arrive at this conclusion Mr. Gomme has assumed that the whole of the surplus income from the markets will be applied towards the extinguishment of the debt on the markets and no part applied towards the general municipal expenditure of the Corporation. The unreasonableness of such an assumption is urged on the following considerations, that the Corporation as proprietors of the markets have a just claim to the profits of the markets.

6852. Let us not go further for a moment. Any ordinary Corporation which had got markets of its own, and incurred a capital debt for rebuilding those markets, do not you think it would be found to be expedient to keep the revenues separate, and to make a charge upon that separate revenue for the debt until it was extinguished?—The revenues of the markets are in the City's accounts stated perfectly distinctly, the total revenues of the markets on the one side, and the interest and charges for management, and so forth on the other side, so that every one referring to the City's accounts, taking the receipts on one side from the payments on the other side can bring out the surplus revenues of the markets.

6853. If it is to be held as a duty of the City or any other Corporation to extinguish its debt within a definite number of years, it means either keeping the market revenue separate for that purpose, or if it passes its market revenue in with its other revenue, it must raise a rate for that purpose?—The Corporation are not under the Municipal Corporations Act; they are not bound to form any sinking fund for the discharge of their debt; and, if you allow me to go on, I will show you why they ought not to be, at the present time, expected to do more than they have done towards the discharge of the debt on the markets.

6854. (*Mr. Smith.*) If you can tell us why they should do less than any other Corporation I should be interested to know?—I have some reason to show why, as proprietors of the markets, they have a just claim to the profits. That is a statement I would like you to allow me to make, that in the year 1854, when the construction of the new markets commenced, the Corporation was in receipt of a net revenue from the profits of the markets amounting to 12,893*l.* 16*s.* 4*d.* per annum, and which revenue had always been applied towards its general municipal expenditure. That since the year 1854, viz., from 1855 to 1892 inclusive, the Corporation has expended 2,618,943*l.* 5*s.* $3\frac{1}{4}$*d.* on the establishment and construction of new markets. That between the years 1855 and 1892 the whole of the net profits of the markets have been spent either in meeting the deficiences of some of the markets or in works of con-

* *See* Gomme, 10,683.

† *See* Gomme, 4299–302, 10,684.

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struction, and at the present time the amount expended on the markets out of the City's cash is about 30,000*l.* in excess of the net surplus profits of the markets received during the whole of that period.*

6855. (*Chairman.*) What do you mean by your last statement "exceeds the net surplus profits of the "markets received during the whole of that period"? Do you mean the average surplus profits?—The whole of them for the whole period. I am prepared to put in an account of the markets for the last 10 years. My statement refers to the whole of the markets, and is deduced from an account kept in the Chamberlain's Office and laid before the Markets Committee—a mere record account, not a ledger account—by which we have traced from year to year, all through the years, the effect upon the City's cash of the expenditure with respect to markets, and how far the revenues from the markets, or the loans raised upon those markets, have gone towards meeting that expenditure; and the result is shown that the City's cash has not benefited by applying the surplus of the markets to the relief of its general expenditure, taking the whole of the period. The whole has been spent upon markets, and the markets account, if it had been kept a separate account, which it has not, being only part of its ordinary revenues, would owe the Corporation about 30,000*l.*

6856. Now, I think, I understand; if you add together all that has been spent on the markets between 1855 and 1892, out of the City cash, and all that has been received as profits on the other hand, the actual subventions out of the City cash would exceed the actual profits realised by 30,000*l.*?—Yes; on the markets account alone.

6857. The markets represent a debt in respect of annual income you would say of 30,000*l.*?—Yes.

6858. (*Lord Farrer.*) That is taking annual expenditure and annual income?—For the whole period.

6859. From 1855 to 1892, taking the whole 37 years, adding the items when there was a surplus together, and adding the deficiencies together, the total deficiency would exceed the receipts by 30,000*l.*?—Yes.

6860. (*Chairman.*) Because the markets have not been profitable in the past you are not going to attempt to reduce the debt at present?—Well, I will explain what has been done already, and what we propose to do in the future.

6861. (*Mr. Smith.*) That is exactly the question I was going to put to you. You consider it is not your duty to pay off capital on an unremunerative undertaking?—That is so; there is no obligation on the Corporation so to do.

6862. (*Chairman.*) No legal obligation—no?—No legal obligation.

6863. The question is whether it is an obligation of prudence?—Only last year, 1892, we expended capital to complete the system of markets.

6864. (*Lord Farrer.*) The markets other than Deptford market have produced no surplus, or very little?—Yes, there has been a surplus, but not sufficient to meet the deficiencies and the expenditure on their construction.

6865. That is to say it meets the annual expenditure, after deducting payment of interest on loans. But has the revenue of the markets other than Deptford been sufficient to meet that?—It has for the last 10 years.

6866. The last five years—has the annual income from the markets other than Deptford market been sufficient to meet the whole of the annual expense?—Yes; the whole.

6867. Including the interest on the debt?—It has certainly. The whole—I am speaking now of the present revenue. The average annual surplus of the City markets for the last 10 years has been 9,000*l.* That would make 90,000*l.* But the Corporation had deficiencies, &c., in previous years to a larger amount out of its cash, and this amount partly recouped it, as far as their cash was concerned, in consequence of loss on previous years. For instance, there was a loss of about 60,000*l.* in connexion with the attempt to create a new market for fish. It was urged on the Corporation that they should do so. They made the experiment, at a total expenditure of about 60,000*l.* out of revenue. The deficiency arose from interest on the capital which had been raised for the purpose and expenses of management.

6868. (*Mr. Crawford.*) That was an inland fish market?—That was an inland fish market—a complete failure; and that 60,000*l.* deficiency and other deficiencies had to be made up according to my statement, resulting in a net deficiency of 30,000*l.* as against the markets.

6869. (*Lord Farrer.*) My question pointed rather to the future. Do you calculate that now there will be surplus revenue upon your markets other than the Deptford Market, we will take that separately?—I have no doubt of that. We had last year a surplus revenue of 12,000*l.*

6870. On the markets?—Yes; about the same surplus we had in 1854 before the Corporation began to reconstruct the markets.

6871. Then you say if you kept them as separate accounts the markets owe the Corporation something or loss?—They do.

6872. When that is repaid you assume there will be a surplus on the markets account?—Oh, undoubtedly there will be.

6873. When that happens, do you not think you should lay aside something every year to pay off debt, or would you put the surplus to the City cash?—Allow me to go on.

6874. I have another question to ask, Does your 30,000*l.* deficit include the expenses of the Markets Committee, which amounts to 600*l.* a year or 24,000*l.* for the whole period?—Yes; but not to so large an amount as 24,000*l.*,—about two-thirds of that sum,—the allowance having been less than 600*l.* a year before 1875.

The above reasons account for the fact that no sinking fund has been established for paying off the debts on the markets, and justifies the Corporation in delaying the creation of a sinking fund for the present, and until the increased revenues of the markets enable them conveniently to do so, more especially as all the market debts are charged contingently on the general estates and revenues of the Corporation, thereby affording bondholders ample security for their money.

6875. Let me ask you with regard to Deptford Market; it has been paying off debt rapidly and profits have been large?—Yes.

6876. Those profits have been falling off, have they not?—Yes.

6877. In consequence of the change of the trade, the importation of dead meat instead of living?—Yes, they have.

6878. I presume, if that should go on, it will very seriously affect the revenues that the Corporation receive from markets?—25,000*l.* a year surplus we have had for several years; if that should continue the debt will soon be entirely extinguished; if our prospects are not realised with regard to the Metropolitan Market debt, it will be a very serious matter; but at present we only suppose this decrease in the income to be temporary.

6879. (*Mr. Crawford.*) The Metropolitan Market has also suffered in the same way?—It suffered very much last year—a deficiency of 13,000*l.*, whereas the average annual deficiency before that was only 6,000*l.* or 7,000*l.*; the circumstances were such I think they will not recur.

6880. (*Mr. Smith.*) Can you tell me if you have ever calculated what annual sum would be required to provide a sinking fund equal to that which would be required from any other local authority in England in regard to these markets?—I have not made any calculation at all.

* *See* Gomme, 10,685.

6881. What is your total debt?—2,587,000*l.*, I think.

6882. Take 2,500,000*l.* ?—I have not calculated how long it would take.

6883. You do not quarrel with Mr. Gomme's figures and assumption ?—No.

6884. What does he make it? Could you refer me to the figure? What does he say the sinking fund ought to be on the whole ?—I think it is on pages xxi and xxii.

6885. I only want you to give me the total, which is one figure ?—I do not think that figure is given by Mr. Gomme how much per annum; he calculates a sinking fund. Of course it could be easily told by means of the table how many years it would require at a given rate per cent. to discharge that debt. I have not got my books with me, but if you put your question I could give an answer.

6886. It would be a very large sum, would it not ?—It would be a very large sum. I do not dispute what Mr. Gomme states as to the amount that would be required and what the Corporation would have to provide.

6887. Does he give the amount; perhaps you could tell me what it is? If you have not got it, never mind; but it would be a very large sum.

6888. (*Mr. Crawford.*) Mr. Gomme thinks that "at the estimated income of 122,000*l.* per annum it "will take about 20 years to repay this debt"?—20 years.

6889. (*Mr. Smith.*) But I think you would get more than 20 years allowed? You would get a longer time, certainly.

6890. (*Mr. Smith.*) Supposing all this 2,587,000*l.* had to be repaid in 30 years, which is the term under the Municipal Act?

6891. (*Chairman.*) It is 20 years from 1907.

6892. (*Mr. Crawford.*) It is 20 years from 1907?—It would be a very large sum.

6893. Thirty-four years altogether ?*—The calculation could be easily made.

6894. (*Mr. Smith.*) Supposing you had to pay it back in 30 years, it would be a very large sum ?—It would be a very considerable financial operation for the Corporation. I go on to say that the debts on the markets have, however, been reduced, as shown by Mr. Gomme, 85,000*l.* having been repaid so recently as 1892 on account of the London Central Markets by the sale of Farringdon Market, in addition to the annual payment of 25,000*l.* on account of the Foreign Cattle Market in 1888, 1889, 1890, 1891, and 1892. The Corporation reduced the debts of the London Central Market 85,000*l.*, also the debt on the Foreign Cattle Market by 125,000*l.*

6895. (*Chairman.*) Then you sum up your position, do you not ?—To hand over the property in and management of the markets, without the consent of the Corporation or compensation, to any other body notwithstanding the immemorial right of the citizens to their exclusive possession and the labours endured and responsibility incurred in their reconstruction and management hitherto, at the moment when they begin to produce fruit, would, in my humble judgment, be a flagrant infringement of every principle of equity and justice known to the constitution, and would, of course, be strenuously resisted by the Corporation. They always have had the fruits of their markets in former years, and looked to them to meet their municipal expenditure, and to compel them to pay off the debts within a certain limited time would, I think, be an infringement of the liberty of the Corporation, I think it would be quite wrong to take them all away.

6896. (*Mr. Smith.*) That is a very strong expression, can you give me any reason why the Corporation of London should be exempt from the ordinary obligations of a local authority ?—The Corporation of London is not an ordinary local authority.

6897. I did not say they were; they are a very extraordinary authority, but I ask why they should be exempt from the ordinary obligations of a Local Authority as regards finance particularly ?—I think they are in a very different position as a Corporation. The Corporation as a Local Authority are not taxing the ratepayers; they have not taxed the ratepayers for the purposes of the Markets.

6898. But they would have to tax them if they would face the proper demands, would they not ?—The proper demands ?

6899. For the Sinking Fund ?—That is a question for them to determine whether they would be prepared or not; I do not know. They might not have to tax the ratepayers; they might economise the expenditure under other heads of the account. The Corporation has no reason to expect to be called upon to pay off the capital of the markets, from the markets alone. The Corporation has raised the capital for the markets on the credit of their other estates as well, and their assets are liable. There is not likely to be any future charge upon the ratepayers in respect of the markets.

6900. (*Mr. Crawford.*) There is ample security for bondholders ?—Ample security for the lenders, they have the assets of the Corporation, the property of the citizens, without the rates.

6901. (*Mr. Smith.*) There are other corporations with assets ?—There are a few.

6902. And yet they are subject to the obligation of repayment of loans ?—Those assets probably are not sufficiently themselves for the maintenance of markets.

6903. Do you know that there are many corporations who make no borough rate because they have a surplus on their borough fund ?—Possibly they would be obliged to make a borough rate under the compulsion to pay off their debt.

6904. They do pay off their debt, and they do not levy a borough rate ?—I think the Corporation would be able to pay off the debt on their markets without any borough rate by economy in expenditure. We hope to do it in the future by increase of the revenue of the markets. They surely ought to increase now the markets are completed, and the trade of London is not at all likely to be diminished. The probability is that the revenues of the markets will be greatly augmented in the future.

6905. (*Chairman.*) But the course of trade has changed and is changing ?—Not as regards City markets, the markets are not showing any falling off.

6906. As respects Deptford Market ?—That is an exceptional market at present; that certainly affects the Metropolitan Market, but as regards the other markets there is the usual tendency to increase.

6907. (*Lord Farrer.*) I think you said, or Mr. Crawford said, that the business of the Metropolitan Cattle Market was falling off too ?—Last year was an exceptional year; the market had to be closed.

6908. (*Mr. Crawford.*) There was a sum of 4,000*l.* had to be expended under the orders of the Board of Agriculture ?—Cleansing, and so on.

6902. (*Mr. Smith.*) Is it not the fact that the dead meat market is taking the place of the live meat market ?—The Dead Meat market belongs to the Corporation; they may be able to make up the loss by its increased produce.

6910. (*Mr. Crawford.*) Foot and mouth disease prevented the importation of live animals.

6911. (*Mr. Smith.*) Well, you are rather wandering from my point. I want to know why a good economical rule that is observed in municipal boroughs about paying to a sinking fund should not apply to the Corporation of London ?

6912. (*Mr. Crawford.*) You must not forget, Mr. Smith, that the question of the markets has been before Parliament on several occasions. Take the case of Billingsgate Market. Parliament was clearly informed, of course, of the state of the market finances of the Corporation, and yet, notwithstanding that, I see in the statement that is before me, under Section 19

* *See* Gomme, 3895–6.

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of the Billingsgate Market Act of 1871 :—"All stallages, rents, and tolls received under this Act by or "on behalf of the Mayor, Aldermen, and Commons "shall be received by them for the use of the "Mayor and Commonalty and Citizens of the City of "London, and shall be paid and applied as the Mayor, "Aldermen, and Commons from time to time direct." I think you will agree with me that in ordinary Corporations you would not have these words.

6913. (*Mr. Smith.*) I was only wanting to know the reason why not?

6914. (*Mr. Crawford.*) Because Parliament has not directed it.

6915. (*Mr. Smith.*) As reference has been made to high financial, moral, legal, and equitable grounds, I was rather puzzled to know what distinction you would draw.

6916. (*Lord Farrer.*) The Corporation of London can part with its capital and sell its property?—That is a legal question I am not prepared to answer.

6917. (*Mr. Crawford.*) It never has done so?—It never has done so. If by way of exchange for other properties, or for convenience, it has parted with any of its property, the custom is to invest the proceeds in the names of the Corporation trustees, if a small amount, or if a large amount in the Court of Chancery, with the view of their ultimate re-investment in other freehold property. There are large sums of money now in the Court of Chancery waiting for re-investment in freehold property.

6918. (*Lord Farrer.*) Can the Corporation borrow without any limit and without any special authority?—There is no limit.

6919. That is in their own discretion?—Yes. Parliament has authorised certain sums to be raised upon the markets; certain sums of money are required to complete the markets, and put them in a more efficient position. The Corporation have considered that they were in a position to borrow additional sums, subject, of course, to existing charges, and to borrow those sums upon the additional revenues of the markets, which would be provided by the expenditure of the loan, and of course also upon the security of their estates and revenues generally.

6920. (*Mr. Crawford.*) Mr. Rotton, I think, confirmed that view that the Corporation had the power to do so?

6921. (*Mr. Smith.*) Oh, yes; there is no denying the power.

6922. (*Chairman.*) Mr. Payne, we will get on?—It has been alleged that the Corporation has not followed the example of most public bodies in connexion with the repayment of loans I have already stated the reasons why it has not been considered obligatory on the Corporation to provide a fixed sinking fund for the ultimate discharge of the general debts upon the City markets. It must not be overlooked that Parliament itself has from time to time recognised the right of the Corporation to deal with its market profits in its own way. It is to be remarked moreover that as regards the debt on the Metropolitan Cattle Market (which is the only market which is unable to bear the interest on its large debt and the other charges), the surplus revenue of the Foreign Cattle Market will be applicable (in accordance with Statute) to its discharge as soon as the debt on the latter market has been satisfied. Its ultimate discharge is, therefore, already provided for.

6923. But the surplus revenues of the Foreign Cattle Market have not been kept up the last year or two?—Not the last two years; they fell off last year rather more than the previous year, but we are hoping for a revival of the revenues. I beg to hand in a statement of the revenue and expenditure, capital, &c., of the Corporation markets for the last 10 years.

6924. Does that differ from what we have already had?

6925. (*Mr. Crawford.*) It is more complete than the statements which have been made in the course of the enquiry.

6926. (*Chairman.*) Yes, this is more complete?—There are statistics there which are shown to correspond with the figures which have been given, bringing out a 30,000*l.* deficiency, and so on.

6927. Now you go on to tell us that under parliamentary provisions, certain debts have been in process of being paid off?—Yes; the cost of re-building the Royal Exchange, charged on the Gresham Estates, 67,200*l.*, Tower Bridge, &c., construction loan charged on the Bridge House Estates, 1,060,000*l.*, Commissioners of Sewers loans on consolidated rates, viz., Artizans' Dwellings at 3 per cent., 218,500*l.*; ditto, ditto, 3½ per cent., 153,000*l.*; and Foreign Cattle Market, 76,000*l.* The remaining bond liabilities are:—Holborn Valley Improvement Loan, 482,200*l.*, City of London Grain Duty Loan, 214,000*l.*; ditto, ditto, 5,000*l.*; Pauper Lunatic Asylum Loan, 8,000*l.*

6928. (*Lord Farrer.*) Can you tell us what the amount of that debt now is, and what is the value of the assets which are primarily liable to meet it?—Yes, I calculate that there will be about 400,000*l.* ultimately cast upon the City's cash in respect of that debt: the assets have not yet been entirely realised, as we are not able at once to discharge the debt, because the bonds are not falling due. As opportunity arises, when a bond is offered for cancelment, they purchase the bond and cancel it, but they cannot require a bondholder to bring the bonds in. They have been asked to do it, but they prefer holding them, for they have no doubt about the credit of the Corporation. We are not able to obtain the bond for extinguishment; we are obliged, therefore, to keep the money applicable for the purpose invested in our bonds or other securities, which is as broad as it is long. We are getting interest upon them, and as the bonds fall due, we shall extinguish them so far, but I believe there will be an ultimate deficiency of 400,000*l.* to fall upon the estates of the Corporation.

6929. (*Mr. Crawford.*) This is the Holborn Valley Debt?—Yes, this debt is being gradually reduced by the realization of securities applicable thereto and may be further reduced by the disposal of rentals arising from the Holborn Viaduct Buildings, Lodging Houses for the Labouring Poor (Artizans Dwellings) and houses forming part of the structure of the Viaduct. There is no surplus land belonging to the Fund. So soon as the action of Parliament in relation to continuing the 4*d.* Coal duty for one year only was determined, and the Corporation became assured of their liability to discharge the balance of this debt out of their own Estates, they began to make provision for its reduction and appropriated the following sums towards its discharge out of their own estates and revenues, besides charging themselves with the payment of interest on the outstanding debt, viz.:—In the year 1887, 22,558*l.* 10*s.*; in the year 1888, 10,000*l.*; in the year 1889, 32,497*l.* 12*s.* 4*d.*; total 65,056*l.* 2*s.* 4*d.* That has been already applied towards the discharge of the Holborn Valley Improvement Debt. As regards the debt charged primarily on the City of London Grain Duty; the Act of 1872 provides that the amount authorised to be raised should be discharged on or before the 31st October, 1902. The estimated annual surplus of the revenue from the duty on grain would have been probably sufficient to provide for the discharge of the debt by that period, but in the year 1884 the corn trade and others refused to pay duty on grain unless it was brought into the Port of London exclusively for sale and not for manufacture only, which they had done from 1872 to 1884, and the duty paid was thereafter strictly limited to grain brought into the port for sale, which caused a falling off in the produce of the duty to the extent of about 7,000*l.* per annum, and left no margin for establishing a sinking fund for the discharge of the debt contracted by the Corporation for the purchase of Epping Forest, and other open spaces on the faith of receiving the duty upon a more liberal construction of the Act than that ultimately adopted by the trade, who raised technical objections involving the Corporation in costly litigation and reduction of revenue.

6929*a*. (*Lord Farrer.*) What does that debt amount to?—214,000*l*. is the amount of the debt now. The Corporation, however, in the year 1890 initiated a sinking fund for the discharge of this debt by the appropriation of the money arising from the commutation of fines on the renewal of rents payable in respect of their estates in St. George's, Hanover Square, and other parishes. This commutation of future fines for a present cash payment is, of course, optional on the part of the tenants, and should the offer of the Corporation be universally accepted a sufficient sum would be raised to discharge this debt. The result up to the present time has been that about 25,000*l*. has been received under this arrangement of which 15,000*l*. was applied in reduction of debt in the year 1892. That is the provision made.*

6930. (*Mr. Smith.*) This is applying capital to capital practically?—Well, yes. It is doing that instead of out of revenue; we have no revenue to spare. The debt was to be paid off at the end of that time, and we shall find some means of doing it.

6931. (*Chairman.*) That would not be allowed in the ordinary action of an ordinary Corporation?—No, the Corporation are masters of their own action in that matter. The debt on the City of London Pauper Lunatic Asylum, amounting to 8,000*l*., will either be paid off when the bonds fall due in 1898, or continued as may be most convenient to the Corporation, although had the Corporation not considered the pecuniary interests of the citizens of London, this amount could easily have been met by means of a county rate. Then Mr. Gomme makes remarks about the City making sales of their property. I request permission to make an observation with regard to that. With reference to Mr. Gomme's statement, pages ii and iii——

6932. (*Lord Farrer.*) Are you leaving the debts now?—Yes, the debts.

6933. Then I will ask a question on another point. Have you any general statement showing what are the aggregate debts of the Corporation, or the aggregate liabilities, and what is the value of the assets which they have to meet those debts?—No.

6234. You have nothing of that kind?—No, only a general statement in the book with regard to the amount of the debts, but the value of the assets against them is not set out, nor are the value of the Corporation's estates with regard to the value of assets of those funds. As to many of those debts the Corporation are only liable as guarantors, and possibly there might be recourse to the Corporation estates for those debts; but those assets are not set forward and neither are the assets of the Corporation as regards their debts. The City has never had its assets valued.

6935. I find in the accounts of the Corporation for 1869 they give a statement of liabilities, and then after giving the loans and the liabilities upon loans, there is given on the other side: "By "estimated value of property liable to meet bonded "obligations, as *per contra*." Then there is a list of assets and property which will meet those loans. Now that statement seems to have been discontinued after 1869; what was the reason of that?—It was only a special report.

6936. (*Mr. Crawford.*) What is the report as to that?

6937. (*Lord Farrer.*) "The Chamberlain in "account with the Corporation of London in respect "of the City estates for the year 1869; also in "respect of various public and trust funds with the "Chamber of London."

6938. (*Mr. Crawford.*) Can you tell us whether there was one for 1868?

6939. (*Lord Farrer.*) That I cannot tell you.

6940. (*Mr. Crawford.*) You made the remark, "it "seems to have been discontinued?" Why did you make that remark?

6941. (*Lord Farrer.*) Well, it was at any rate given in 1869, and it has not been given since.

6942. (*Mr. Crawford.*) Your observation would imply that it was given anterior to that.

6943. (*Lord Farrer.*) It may have been, or it may not have been given prior to that. It seems a satisfactory item to give. Why it was given in one year and not in others is what I want to know.

6944. (*Mr. Crawford.*) I did not know whether you were supposing that it had been discontinued for some particular reason which required explanation. Your remark led me to think that it had been discontinued for some reason which required explanation?—I think that until that year you will find that there was no general statement of the liabilities and assets of the Corporation.

6945. (*Lord Farrer.*) It may not have been given previously to that?—I don't think you will find that stated in any other year. That was discontinued advisedly by the Coal and Corn and Finance Committee. These statements are submitted year by year to the Coal and Corn and Finance Committee, and they settle the form in which the statement of assets and liabilities should be rendered and should be published. I think that this was a form which was adopted in that year only.

6946. (*Mr. Crawford.*) Will you tell me what you have before you; look on the outside and you will see?

6947. (*Lord Farrer.*) It is the account of the Chamberlain?—They are stated here in that form. It really passed from my memory that they were ever passed in that form. I think that undoubtedly was discontinued. I think probably you will not find it in the next year. But they have been continued for a great many years without stating on the opposite side the amount of the assets. You will see that the assets are all set down at precisely the same amount as the liabilities. I think, so far as I can see, as much appears on the liability side. It is merely a debtor and creditor statement. They are put on the other side to meet the liabilities. In future statements they do not carry out the liabilities, and, therefore, of course, omit the assets.

6948. No, but let me take the year 1893—in this No. 11—in the accounts of 1892, published in 1893, we have a statement of the liabilities of the Corporation, just as given in the other account, and then a note to this effect: "Special revenues are applicable "as primary security for payment of the above loan, "which security, if of sufficient amount, will prevent "recourse to the City's Estates; the amount of the "said bonds is not therefore carried out, while on the "contra side the values of the rents, renewing fines "and interest, market revenues, rates, tolls, duties, "&c., and of the City's Estates, are not included. "The above balance statement has been considered "and approved by the Corn and Coal and Finance "Committee." The only question that I was asking was whether it would not be a satisfactory thing to have a statement similar to that which is given in the accounts for 1869 of what are the assets which the Corporation hold in order to meet those liabilities?—The form of statement was determined by the Coal and Corn and Finance Committee in their inquiry into the accounts in the year 1870 and 1871, and I have no doubt, although I do not know, that they reported to the Court on the subject. But the Finance Committee are responsible for the issue of this account, and for the mode in which the cash assets and liabilities of the Corporation are stated, and they have not deemed it desirable to continue the form of 1869. That was merely putting the liabilities on one side, and then putting on the other side the assumed value of the property, which has never been ascertained. The value of the property, if the whole value had been put down, would have been no doubt double that amount. But they merely put the value of the property against the amount of the debts in order to balance the amount of the debts—in order to show that in the hands of

* *See also* Questions 7040–44.

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the Corporation there is no liability on the City's cash in respect of those debts.

6949. You answered my question to this extent that you said that it is the opinion of the Committee concerned that these items should not be published, but you have not given me any answer why they came to that conclusion?—They have the same opinion at the present time. They never publish the assets.

6950. I want to know why?—I should not consider this a complete statement of the assets and liabilities of the Corporation by any means as it stands there.

6951. (*Mr. Crawford.*) May we take it, Mr. Payne, that at the present moment you are not able to say why; but there is no difficulty in ascertaining the reason by referring to the reports?—The Corporation have not thought it necessary or prudent to do so.

6952. Lord Farrer asks you why it was discontinued in that year?—I cannot say.

6953. By reference to the reports you can easily ascertain that if necessary?—I am not sure whether that matter was referred to. The statement of 1869 was prepared by the Chamberlain and approved by the Committee for that year. Next year the accounts were prepared by the Chamberlain, and got out in a different form. The note at the present time is that the form has been approved by the Coal and Corn and Finance Committee. I have not got the accounts of the next year, but I think the next year, 1870, was the first year in which they were published in the new form, the form which has been used ever since.

6954. (*Lord Farrer.*) I quite understand that; but in the accounts of the London County Council, when they give a statement of their assets and liabilities, they state, on the one hand, their liabilities, and, on the other hand, they state at length and completely the whole of their assets; that is to say, the items of their property and the debts that are due to them from other bodies. Do you not think it would be a convenient and desirable thing if the Corporation of London, in stating their accounts, were to give a full statement of their liabilities on the one hand, and of their assets on the other. We really have no knowledge at present of what the assets and the liabilities of the Corporation of the City of London are?—The Corporation state their accounts in such a plain and such a lucid and comprehensive form that I think any accountant or any ordinarily practised statistician or financier would be able from the accounts as they now stand to deduce as satisfactory a result as to the assets and liabilities of the Corporation as could be published by the Corporation themselves, and which if they did so might involve thousands of pounds in making the estimate.

6955. Is there anything whatever in this book that tells us what the assets of the Corporation of the City of London are?—The assets of the Corporation are shown by the revenues of the Corporation.

6956. And only by the revenues?—There is a rental of 163,000*l.* a year. Anyone knowing the character of that revenue, being good freehold property, 163,000*l.* multiplied by 25 would give a very fair idea of the assets of the Corporation.

6957. (*Mr. Smith.*) I took it at 35 years, a good deal of it?—You may make a larger sum than the Corporation would think it desirable to publish to the world.

6958. (*Chairman.*) That was a very incomplete statement of your assets?—Very incomplete.

6959. It did not give your property?—It did not in any way.

6960. (*Lord Farrer.*) It gives more information than has been given subsequently?—Practically, I do not say that it gives any more information; it merely sets the assets against liability which is assumed to be of the same amount.

6961. (*Mr. Smith.*) If you made an ordinary sinking fund on the markets undertaking, there would be an annual deficiency on the City accounts?—On revenue.

6962. On revenue; and, as you say, everything has to come to revenue, at last, multiplied by so many years purchase. It might force the Corporation to make a rate.

6963. (*Chairman.*) A twopenny something rate?—Yes.

6964. (*Mr. Crawford.*) From your experience of the Corporation's finance, are you able to tell the Commissioners one way or the other if there is or is not ample security to meet every obligation on the City?—Most decidedly; I have no hesitation in saying that the Corporation could pay 40*s.* in the pound upon all their liabilities.

6965. (*Lord Farrer.*) Referring to the question I was asking you before we rose, can you tell me if the Corporation has a capital account, that is an account showing the value of their estates, the value of their assets as set against their liabilities?—They have not.

6966. Can they make one out?—Oh, of course there could be no difficulty about making out such an account if it were the will of the Corporation so to do.

6967. You have told us distinctly that assets were of such value as to outbalance the liabilities; that is to say, the assets are more than the liabilities?—Yes.

6968. (*Chairman.*) Well, that of course must be founded on a knowledge of what the assets are; can you make us out and furnish us with a statement of the assets of the Corporation, including their estates?—Certainly it could be done.

6969. Well, will the Corporation do so?—I cannot answer that question. I am not in a position to answer that question at all.

6970. Will you put that question to your superiors?—To the Committee, I will.

6971. You are no longer an official?—No, I am not really an official.

6972. (*Mr. Crawford.*) I think, Lord Farrer, the better plan would be for the Commissioners to ask the Secretary to send a letter to the Town Clerk, and that would be laid before the Committee.

6973. (*Lord Farrer.*) They send this witness to us as representing them on matters of finance. I thought it quite fair to put that question to him in order that there might be no loss of time.

6974. (*Chairman.*) There can be no difficulty in valuing the assets?—By rule of thumb?

6975. Estimates might vary as to what certain things were worth, but inasmuch as you know what your income derived from the real estates, and what the character of the real estate is you could always get an estimate of it?—I am not in a position to give such a document, but I have prepared one already for my own information, but I am not in a position to put it in. I am not authorised to do so.

6976. We broke off just as you were beginning to tell us about the sales of property. I do not know that you have anything very material to tell us. You do not quite make out the sum brought out by Mr. Gomme?—No, but the difference is not of much consequence. It was not strictly a sale of property in the sense that its disposal can be described to be a sale of property. It was sold under the order of the Irish Court of Chancery, a compulsory sale. They were obliged to take their share. The legal officer reported that he was not prepared to say that such purchase money could be re-invested in freehold property without special license in mortmain, and, therefore, there was nothing for the Corporation to do but to apply it to their ordinary revenue. There is no accumulation fund.

6977. (*Mr. Crawford.*) It was not a sale by the Corporation for some specific purpose?—It was not.

6978. (*Chairman.*) It was a forced sale to the amount of 6,000*l.*?—Yes, a forced sale.

6979. Which might have been applied in payment of debt?—Well, yes, the first claims on the Corporation were in respect of bonds and other charges.

6980. It is not a very big sum?—No it is not. There is also another sum spoken of as a sale of property to Taberer and others, 3,375*l.* That was also a forced sale under the Markets Act of 1860, and that

was paid to the credit of the City and was applied to market matters, in the construction of the markets, which so far limited the amount necessary to be raised by loan.

6981. (*Mr. Smith.*) That was not applied to capital?—Strictly speaking to capital.

6982. That would not be applied to capital?—Neither of those sums was used in relief of revenue.

6983. The first seemed to go to revenue and the second to capital?—Yes.

6984. The second was properly allocated to capital?—The second was properly allocated to capital. The Corporation is not in the habit of disposing of freehold property, but when it does so the amount realised is either invested in the names of corporate trustees with a view to re-investment in similar property when opportunity offers, or paid into the Court of Chancery. I believe I have given that evidence previously.

6985. (*Chairman.*) I do not think that there is anything to stop us until we get on to an observation about provision for future exceptional expenditure?—I should like to make an observation about the market profits. Dealing with Mr. Gomme's remarks on page iii of his statement, the receipts from market profits should have been included in receipts from general estates and revenues, and the balance carried down diminished by these sums as follows:—1889, 4,067*l.* 9*s.* 8*d.*; 1890, 12,533*l.* 0*s.* 11*d.*; 1891, 14,546*l.* 5*s.* 2*d.*; 1892, 10,056*l.* 6*s.* 8*d.** The surpluses on the markets, which have been regarded as being properly appropriated to the general expenses of the Corporation, have been deducted from the general revenues annually, which makes it appear that there was a deficiency beyond what there really would have to be provided for had the revenues of the markets been included. Then as regards the City of London Court surplus which has been mentioned by Mr. Gomme at page vi, there has been simply a misapprehension on his part.† I should mention that the Corporation determined in 1887 to bring the surplus into the general account of the assets of the Corporation, as it had a clear right to do, and in 1888, as appears by the Chamberlain's accounts for that year, pages 80 and 81, a sum of 9,500*l.* City bonds belonging to the fund was sold out, and 9,500*l.* was applied towards the erection of the new City of London Court. No sales have been made between 1889 and 1892, but cash amounting to 5,300*l.* was received from bonds maturing at dates indicated and not reinvested. This amount was retained towards providing for the cost of new offices, &c. for the Mayor's Court, for which the income of the Mayor's Court was insufficient. On reference to section 33 of the London (City) Small Debts Extension Act, 1852, it will be observed that the Corporation had a right to credit its revenues with such surplus, and, of course, to deal with it as part of the City's cash. There is some further explanation I have noted with regard to Mr. Gomme's remarks at page vii where he speaks about investments on account of Grain Duty Sinking Fund.‡ The amount paid to the Grain Duty Sinking Fund in the year 1892 was 1,429*l.* 6*s.* 11*d.* and not 1,829*l.* 8*s.* 7*d.*, and it should have been placed in column for that year. The investments sold, viz., 15,701*l.* 10*s.*, formed part of a separate fund (the Grain Duty Sinking Fund), which had been accumulated in previous years, the produce of the sale, viz., 15,000*l.*, having been applied in the part discharge of loans raised for open spaces, &c., charged primarily upon the City of London Grain Duty. That appears in the Chamberlain's accounts for 1892. This is only an explanation of Mr. Gomme's statement. The next is provision for future exceptional expenditure. With regard to provision for future exceptional expenditure, Mr. Gomme asserts that "for any exceptional expenditure in future years no provision exists," but omits all reference to the fact that there is vacant land belonging to the Corporation on the Thames Embankment, valued at over 12,000*l.* per annum. Then as to page xii, "estates and funds at the disposal of the Corporation,"* the omission of the receipts from the Mayor's Court fees, school fees, and market profits from this account serves to create an erroneous impression, and leads to deductions as regards the sufficiency of income to meet expenditure, the accuracy of which I dispute. Then with regard to interest on cash balances—page xv of Mr. Gomme's statement,†—the interest on cash balances of the Commissioners of Sewers and the Police Fund do not go to swell the funds of the Corporation—Mr. Gomme says that they do,—but are applied primarily towards the cost of the Chamberlain and his establishment in respect of the management of the accounts, for which no other charge is made.

6986. (*Chairman.*) That does not make very much difference does it; the Chamberlain must be paid for?—It does not make any difference in balances, but the profits arising from the cash balances do not go to swell the funds of the Corporation; in all his accounts Mr. Gomme has placed the profits as if they were direct receipts of the Corporation.

6987. (*Mr. Smith.*) But did you not tell us this morning that over and above his own salary and his office staff it went to the payment of other officers?—The surplus.

6988. It is practically the same thing?—In the way he uses it, I think not; he places that as a receipt on which he charges a number of expenses which certainly could not be paid out of these profits.

6989. (*Mr. Crawford.*) The statement of Mr. Gomme to which exception appears to be taken by Mr. Payne is as follows: "the interest earned by the "cash balances of the City Commissioners of Sewers "and the Police Commissioners, instead of going in "relief of rates, as in all other rating authorities "throughout the kingdom, go to swell the funds of "the Corporation," which is what Mr. Payne is endeavouring to explain.

6990. (*Mr. Smith.*) It goes to pay the salaries of Corporation officers.

6991. (*Mr. Crawford.*) He will tell you actually what the officers do in respect of it; will you go on with your statement, Mr. Payne?—Not only does the Chamberlain keep the accounts of the Commissioners of Sewers, but the duty is cast upon him of receiving the amounts collected direct from the collectors, checking their accounts and rendering the same to the Commissioners, and the same remarks apply to the police fund. The City police inspectors attend weekly at the Chamber for the money for the men's wages, thereby involving much labour, for which nothing is charged to the ratepayers. He also assists both bodies with overdrafts when necessary, only charging a nominal rate of interest, so that instead of the City ratepayers being taxed by the Corporation the very reverse is the case, the ratepayers being saved expense by this economical arrangement being more favourable to the ratepayers than the ordinary arrangement with a banker.

6992. What do you mean by the nominal rate there?—Well, perhaps the bank rate, or some such rate as that, whereas if they had to go into the market to borrow money they would have to pay a larger rate of interest.

6993. (*Chairman.*) That is an arrangement any Corporation would make; it would not pay interest on one debt when it had got money to Corporation account.

6994. (*Mr. Smith.*) That is always the way; for instance, the Corporation of Birmingham has several banking accounts, but if there is a minus balance on one account with the same bank we are allowed to draw on the others. At all events, we pay no interest?—The Chamberlain derives these profits for his

* *See* Gomme, 3556–67.
† *See* Gomme, 3571–3578.
‡ *See* Gomme, 3648–77.

* *See* Gomme, 3713–5.
† *See* Gomme, 3757–75.

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own salary from the interest on the balances left in his hand.

6995. (*Chairman.*) He pools the balance?—It is expected that the balance in his hands would be equivalent to the expense which would naturally fall upon these accounts for keeping them; a large staff of the Corporation is occupied in keeping them.

6996. (*Mr. Smith.*) In other words, he is the banker as well as the treasurer of the Corporation?—He is the banker as well as the treasurer of the Corporation. There is a remark I have here, perhaps I may as well state it. It is well known that the London County Council derive a material pecuniary advantage from lending to the different vestries and district boards——

6997. (*Chairman.*) I think you had better not go into that?—No. Then as to the Reserve Fund.* The Report presented to the Court of Common Council states briefly but accurately the origin and disposition of the Reserve Fund. It consisted chiefly of accumulated savings of income of the Finsbury Estate, the lease of which terminated in 1867, and the accumulation of which commenced in 1838. About that year the ground rents of the Finsbury Estate began to fall in and the premises were let upon rackrents for periods of about 21 years, producing a very large augmentation of the rental of the estates, amounting eventually on an average to over 40,000*l.* per annum. In 1838 a plan was formulated for saving $\frac{3}{5}$ths of the annual produce for the purpose of forming an accumulation fund to provide against loss of income at the expiration of the lease. This formed the nucleus of Reserve Fund, which was directed by the Court of Common Council on the 25th June 1857 to be kept separate from the City's cash and its income accumulated. In the year 1858 a sum of 350,000*l.* was raised upon the credit of the City's estates and revenues generally for the purpose of providing for the repayment of loans then outstanding. This precaution arose out of the fears which were engendered that the credit of the City might be endangered by the agitation initiated about that time for the reform of the Corporation. This sum was added to the reserve fund, and the accumulations from the investment of the savings of income of the Finsbury Estate, and of the remaining portion of the 350,000*l.*, amounted in the year 1873 to over 500,000*l.* At the falling in of the lease of the Finsbury Estate in 1867 the income of the Corporation from its other rents had so increased as to render it unnecessary to supply the loss of income from this cause, and the Reserve Fund was thereafter appropriated to special expenditure, in some cases for remunerative and in others for unremunerative purposes. Also to supply the City's cash with such amount as might be necessary to bring the annual income up to the annual expenditure.

6998. How did the other income of the Corporation increase, through refusal to lease?—By the renewal of the leases. The leases of the ground rents falling in and the increased value of property in the City generally in the City, in fact nearly all in the City and Southwark.

6999. It was not like the Finsbury case, by the Corporation refusing to let on lease, but by increase in the reserve rents upon a regrant of leases?—Upon a regrant of leases, yes. As to the statement that the reserve fund is a mere transfer account that is quite incorrect.

7000. (*Lord Farrer.*) Was that applied partly to capital payments and partly to annual payments. You said so, I think?—It was mainly to meet any deficiency in the income of the Corporation to meet its expenditure of whatever character.

7001. It is annual expenditure?—It is annual expenditure, but very much of that annual expenditure was applied to remunerative objects, and it was spent by the Corporation so as to augment income. These were savings of income, not strictly speaking property, and the money which had been raised by loan was regarded as a cash fund, not a property fund, if I may say so. Savings of interest which had been invested for the purpose of augmenting income were accumulated, and when the City required money for any special purpose they appropriated this fund which had been so kept in reserve to make up deficiency of income. If they had carried the accumulated fund arising from the saving of money year by year to the City's estate we should have had a larger income than was necessary each year, therefore they kept it in reserve, accumulating it until it was wanted—until circumstances arose in which it was desirable to spend it. When the City gave up portions of their revenue as in the case of the coal duties, the grain duty, and brokers' rents, of course, this reserve fund was required to make up the deficiency arising from the loss of those revenues.

Mr. Gomme says, "For the last four years the "reserve fund has consisted mainly of the repayment "of advances formerly made to the Clerkenwell "Improvement Fund on the credit of the surplus "lands, being the produce of the sale of such land "amounting in

		£
1889	to	9,000
1890	„	7,000
1891	„	25,000
1892	„	9,000
		50,000

"and also by the sale of investments and interest "thereon belonging to the Reserve Fund amounting in

			£	s.	d.
(*See* Chamberlain's Account p. 88		1889 to	2,481	0	0
„	92	1890 „	654	0	0
„	98	1891 „	10,475	10	1
„	102)	1892 „	1,437	10	0
			15,048	0	1"

As regards this, I have to say that on the 31st December 1875 the Clerkenwell Improvement Fund was indebted to the Reserve Fund, in respect of advances made for the completion of that Improvement and for the repayment of Bonds which had been raised upon the credit of the surplus lands, in the sum including interest to 30th June 1875 of 341,350*l.* As the surplus lands were sold the amounts realised were from time to time repaid to the Reserve Fund, the last repayment of 10,000*l.* having been made in the year 1892. No interest has been charged to the Clerkenwell Improvement Fund since the 30th June 1875, the total repayments of principal have been 313,000*l.*, leaving a balance due to the Reserve Fund at the present time of 28,350*l.*, besides interest from the 30th June 1875. Such interest at 3½ per cent. would have amounted to 96,050*l.* making altogether 124,000*l.* which the Corporation have contributed out of their own funds towards that Improvement beyond the amount provided by Parliament.

7002. (*Chairman.*) What is that Clerkenwell Improvement?—It was the improvement of a street from the City to Coppice Row, Clerkenwell; its origin is very remote. Originally 25,000*l.* was granted to Commissioners for the purpose of carrying out an improvement which the City had begun, and made out of their own funds in connexion with Farringdon Street when Farringdon Market was erected. The City made the improvement as far as the borders of the City went. They could not go any further. Then Commissioners were appointed.

7003. (*Mr. Crawford.*) Unconnected with the Corporation?—Unconnected with the Corporation, in order to continue the street. They undertook to do it on a contribution being granted to them out of what was then called the London Bridge Approaches Fund (the Coal and Wine Duties); 25,000*l.* was granted

* *See* Gomme, 3810–51, 3901–9.

by Parliament out of that fund. They commenced the improvement, and, in the course of a few years, instead of completing it as they expected, they were found to have a liability of about 39,000*l.* I am speaking now from memory, but the improvement was uncompleted, and the land unsold, and there was a liability of about 39,000*l.* upon the Commissioners.

7004. The Corporation took that over?—The Corporation took it over, and then had 88,000*l.* granted out of the same fund as the 25,000*l.* had come from, but they failed to affect the improvement within the 88,000*l.* It is now completed, and the whole of the land is now sold, but it has been at a cost to the Corporation of 124,400*l.*, beyond the amount granted for the purpose out of the Metropolitan funds—I may call them the more public funds.

7005. And that is a metropolitan improvement?—Undoubtedly that is a metropolitan improvement; they paid for their own part of the improvement—within the City—but the other part was all a metropolitan improvement.

7006. (*Lord Farrer.*) Before leaving the reserve fund, you can tell us whether the Reserve Fund is not reduced to very little now?—Yes; there was only 10,700*l.* left at the end of 1892 and that has been absorbed, I understand, this year. So as to the Clerkenwell Improvement Fund, the whole of the land has been sold and the whole thing has come to an end. As regards the sale of Farringdon Market the sum of 98,100*l.*, referred to by Mr. Gomme, was the gross produce of the sale of the site of the market, and also the site of freehold premises belonging to the Corporation, part of the City Lands which immediately adjoin the market. After allowing for the auctioneer's expenses, &c., the proportion for the sale of the site was about 85,000*l.*, which was applied in paying off that amount of Central Market Bonds,* and the balance, being the proportion of the produce of the City's property under the control of the City Lands Committee, was invested in 1893 in the names of the Corporation Trustees, and remains applicable for reinvestment in freehold property. The whole of the proceeds of the sale of what belonged to the market has been applied as the Act of Parliament directed in discharge of the debts of the London Central Markets. I have some remarks to make with regard to the loan for the Metropolitan Cattle Market of 78,600*l.*†

7007. (*Mr. Crawford.*) That is page 20 of Mr. Gomme's statement?—Page 20. This sum of 78,600*l.* was raised for the extension of lairs and slaughter-houses and completion of the market, and was charged upon the tolls, rents, and payments of the said market (subject to the existing charges thereon). The revenues derived from these additions are carried to the account of the market forming part of its general receipts. The annual interest on this loan of 78,600*l.* (see page 19, Chamberlain's Account) is paid out of the general receipts of the market, and the ultimate discharge of this debt will have to be provided for out of the surplus revenues of the market if sufficient or, in the event of their being insufficient, out of the general funds of the Corporation. This amount should, therefore, be regarded as a market debt, and not at present as chargeable upon the general estates of the Corporation exclusive of the markets. The surplus revenues of the City markets are as much the property of the Corporation as the net revenues of its house property, and are equally applicable to its general Municipal purposes, and at the full disposal of the Corporation, and are as much applicable, if required, to the payment of the general debts of the Corporation as to those of the markets and are not exclusively hypothecated to discharge the debts on the markets. All our Bonds contain clauses which thoroughly provide for that.

7008. (*Chairman.*) Yes; we understand?—Then I desire to call attention to the fact that the "deficit "in annual income after allowing for payment of "debt" in each of the years 1889, 1890, 1891, and 1892 referred to in page 34 of Mr. Gomme's statement, does not include the surplus income derivable from markets. In estimating a deficit, clearly credit ought to be given for the full income of the Corporation, and before conclusions are drawn attention should be called to other available sources of income such as the future rental to be obtained from the very valuable vacant land on the Victoria Embankment estimated at 12,000*l.* per annum.

7009. (*Lord Farrer.*) That would appear in your capital account of assets if you give it?—If it were given the value of that land would be set down as part of the assets of the Corporation. "Estimate of total "debt falling due on general estates exclusive of "market debts.

	£
Holborn Valley Improvement -	429,432
Grain Duty (Parks and Open Spaces) - - -	189,370
Metropolitan Cattle Market -	78,600
Highgate Woods - - -	5,000
Leadenhall Market Approaches -	148,800
Pauper Lunatic Asylum - - -	8,000
Total - - -	859,202"

That is one of the deductions of Mr. Gomme.

7010. (*Chairman.*) Then you point out that he assumes the duty of repaying a debt which does not exist. I think that is all, is it not?—That is all. Mr. Gomme assumes that provision should be made for the discharge of the above debt by an annuity for 30 years amounting to 43,836*l.* per annum, and after allowing revenue available for debt charges upon the basis of the four years 1889–90–91–92 shows an assumed deficit in annual income after allowing for payment of debt as follows:—

	£	*s.*	*d.*
1889 - - -	25,359	5	8
1890 - - -	18,706	11	8
1891 - - -	47,007	16	5
1892 - - -	40,096	8	2

Average of the four years 32,792 10*s.* 6*d.**

7011. Of course that makes a totally different balance to what you would otherwise have had. Then what is the final result?—Such an assumed deficiency may be used to operate detrimentally to the financial credit of the Corporation, but as there is no legal obligation on the Corporation to discharge its debts within 30 years, and to set aside a fixed sum for that purpose, it may be safely left to its discretion as to the period of their discharge, the increasing revenues being sufficient for the purpose, without recourse to taxation of the ratepayers in relief and for the benefit of whom the Corporation has mainly incurred the expenditure.

7012–3. (*Lord Farrer.*) The best way to meet any suggestion of that kind would be to show what the assets of the Corporation are, would it not?—I go a little further into that. Mr. Gomme's estimate of complete transfer and re-organisation of Corporation funds will be found set out on page 42, wherein he shows the following surplus and deficits of revenue:—

	£	*s.*	*d.*
1889 - - -	+ 6,296	13	2
1890 - - -	+ 20,303	1	7
1891 - - -	— 7,413	0	3
1892 - - -	— 3,532	13	7

or an average of a surplus of 3,934*l.* 15*s.* 3*d.* per annum. This is based upon the hypothesis of a complete amalgamation, transfer, and re-organisation of the City's Estates and Public and Trust Funds, but

* *See* Gomme, 3890–2.
† *See* Gomme, 3881–3.

* *See* Gomme, 4101.

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shows that in the event of such amalgamation there would be at present a surplus revenue of under 4,000*l.*, which could be applied for the relief of the Metropolitan ratepayers, such surplus, however, being obtained by levying upon the already overburdened City ratepayer. The fallacies resulting from the indiscriminate amalgamation of the funds of the Corporation follow the accounts throughout, but assuming Parliament should legalise the misappropriation of funds to the extent assumed, and that the revenues of the Corporation could be dealt with on the hypothesis indicated, it is estimated by Mr. Gomme that an additional special county rate would have to be levied upon the City of $2\frac{3}{10}d.$ in the £, producing an estimated revenue of 39,902*l.* to balance the receipts and expenditure on the basis of the year 1892, leaving a deficit balance of 3,532*l.* 13*s.* 9*d.* to be provided for. By a just appreciation of the resources at the disposal of the Corporation it may be, however, proved that the revenues of the Corporation are sufficient to meet its current expenditure without the imposition of any additional charge upon the ratepayers. To unravel the analysis of the accounts of the Corporation as stated by the statistical officer of the London County Council would perhaps be as laborious as its construction ; indeed it is impracticable without being furnished with the particulars of the items merged together, but the process is happily unnecessary seeing that the Commissioners have been furnished with the accounts of the Corporation for the four years in question as published by the Chamberlain. The accounts as arranged by Mr. Gomme are to me, I must confess, bewildering instead of demonstrative, and his explanations darken counsel by words without wisdom. It is true that the Chamberlain's published accounts are not all divided into capital and revenue accounts, but every item of receipt and expenditure is truthfully set forth in considerable detail, and the distinction between capital and revenue is easily discernible in all. In the City's cash abstract a line is drawn dividing the items of receipt and expenditure regarded as capital or investments from ordinary items of revenue and expenditure. The Corporation issues in addition every year a broad sheet setting forth its receipts and expenditure in respect of the City's cash for the previous 10 years under a large number of separate items, and distinguishing ordinary from extraordinary expenditure. From the various totals shown on such sheet by the easy process of omitting the last figure in the pounds, the average per annum for the past 10 years under each head of receipt and expenditure can be ascertained.*

7014. (*Lord Farrer.*) Are you referring to any statement in these accounts?—Yes, my Lord, it is the 10 years' statement which is on the table.

7015. (*Mr. Crawford.*) It is before the Chairman, I think ?—I have an extra copy.

7016. (*Mr. Smith.*) I think these documents must have been printed with the view to the public in this shape ?—They are circulated among the members of the Corporation, the usual number is printed, as many as of the City's printed accounts ; they are in that sense.

7017. I thought perhaps it was a running and reading account that would be interesting to the citizens ?—Yes, they are published every year, a 10 years' statement, taking out the first year and putting in the last one, but I think these tabulated figures rather forbid general readers.

7018. I should not think there is much demand for them ?—No. It summarises the City's accounts for 10 years, and the items of expenditure are set out in a more detailed form, not so detailed of course as in the City's audited account, but more so than in the abstract of the accounts.

7019. (*Mr. Smith.*) Posting bills more than anything?

7020. (*Mr. Crawford.*) This is what you would call an amplified summary, Mr. Payne.

7021. (*Mr. Smith.*) Are these put on the church doors ; they seem to be designed for that purpose.

7022. (*Mr. Crawford.*) No, nor on the City's portals. With reference to the analysis of the Corporation's accounts by Mr. Gomme, which comprehends the period of the four years ending December 31st, 1892, objection is taken on account of the indiscriminate amalgamation of City's cash and trust funds in deducing the figures.* The following figures which are exclusive of loans and capital receipts and expenditure have been deduced from the last 10 years' statement, and may likewise be derived from the annual printed volumes. As you will see from the 10 years' statement, the receipts are divided into ordinary and extraordinary, and the payments are divided into ordinary and extraordinary. I have taken the total at the bottom without making a distinction between capital in the first instance.

7023. (*Chairman.*) It is not ten years, it is four years ?—Four years. This is deduced from the ten years' statement. Perhaps when reading out the figures I may say that adding the ordinary and the extraordinary receipts together, and the ordinary and the extraordinary payments as they are placed there, not capital items but as revenue and expenditure, shows a difference in the four years of 38,200*l.* 16*s.* $7\frac{3}{4}d.$

7024. A deficiency ?—A deficiency—I put that against the 74,000*l.* which Mr. Gomme has made out.

7025. (*Mr. Crawford.*) That is your statement ?—That is my statement.

7026. (*Chairman.*) You make it out as 38,000*l.* instead of 74,000*l.* ?—Yes ; 38,000*l.* instead of 74,000*l.* The result of these figures shows a gross deficiency of receipts on the four years of 38,200*l.* 16*s.* $7\frac{3}{4}d.$ This amount was provided for out of the balance of City's cash in the hands of the Chamberlain at the commencement of the four years' account. I contend that there was cash to meet that already in hand, and that the cash balances alone were diminished by that 38,200*l.* He had less in hand in cash, but he did not need to have recourse to capital. Although the Corporation has expended the above amount of cash in excess of its revenues during the last four years—1889 to 1892—it has added to the value of its property a larger amount.

7027. (*Chairman.*) That is to say, it has expended 40,000*l.* on what you would call capital expenses ?—Yes.

7028. It may have added to the value or not ?—Well, the erection of Billingsgate Buildings — that adds to the value ; and the making of Leadenhall Market Approaches has been an addition to the value of premises which are bringing in rents. Then the Mayor's Court new offices : I apprehend it is able to do its business better and to take more fees in consequence of having better offices ; the Guildhall new offices necessarily increase the value of the Guildhall and the provision for the teaching of natural science and technical education in the City of London School —that means the improved capacity of the school to earn money ; and besides, the sum of 20,394*l.* 1*s.* 2*d.* was also expended towards a sinking fund for discharging debt.

7029. Open Spaces Fund. That is apart from loans ?—Apart from loans.

7030. On loans and capital there is a small balance ? —I have separated loans and capital, and there is apparently a surplus of 1,121*l.* 11*s.* $6\frac{1}{2}d.$ there, and that makes a net deficiency of 37,079*l.* 5*s.* $1\frac{1}{4}d.$

7031. Of altogether about 38,000*l.* in four years ?—Of altogether about 38,000*l.* in four years, an average of 9,269*l.* 16*s.* 3*d.* That is admitted as a matter of

* *See also* Gomme, 10,683–4.

* *See also* Gomme, 10,683–4.

9,269*l.*, of cash spent, expended by the Corporation in excess of the cash coming into their hands through the ordinary revenue, but much of the above expenditure not being obligatory, need not recur. The Corporation, however, as already stated, holds land upon the Victoria Embankment, at present unlet, exceeding in value 12,000*l.* per annum, and it has reason for expecting a progressive increase of its revenue from its general estates and markets. That is the answer to the deficiency of cash during those four years—that it need not recur; and if it should recur, then we may look forward that there will be an increase of revenue on the other side to meet it.

7032. At the present time that is not income-producing land?—No; we have had offers for it. Then I would desire to remark that the disappearance from time to time of many items of revenue from these statements shows what the Corporation has sacrificed for the benefit of the metropolis at large; and the expenditure under many heads of account shows likewise the exalted public spirit which it has manifested in the liberal expenditure of its funds for the advantage of the inhabitants of the metropolitan district, as well as of the citizens. Among the sources of revenue which have disappeared may be instanced the income from the street tolls, which disappeared in 1856—these items may be derived from those statements which have been put in—and which realised 5,500*l.* a year; also the coal duty which disappeared in 1860, the gross annual value of which was 73,881*l.* 16*s.* 8*d.*; also the corn metage which was given up in 1872, and which produced annually a gross sum of 15,696*l.* 13*s.* 9*d.*; and also the brokers' rents which were stopped in 1884, and which yielded a sum annually of 9,945*l*, making a total of 105,023*l.* 10*s.* 5*d.* Those were sums the income of which had been derived from the metropolis generally, and persons who contributed towards them, were not represented on the Corporation, and those were the revenues that, when the Corporation's own funds were found to be sufficient for paying their municipal expenses, they thought it right to give up.

7033. (*Lord Farrer.*) Under pressure?—Well, I think it was a matter of principle with them.

7034. (*Mr. Crawford.*) I do not know where the pressure came in with regard to the tolls?—They were spending them for the Metropolis; they were spending them and not touching them at all.

7035. (*Chairman.*) They lost them?——

7036. (*Mr. Crawford.*) It is hardly fair to say that they lost them, because certainly with regard to street tolls and the coal duty in 1860—it was a voluntary giving up in 1860 resulting in the forfeiture of 400,000*l.* of their own funds. They not only lost their own coal duties, but they brought upon themselves a charge of 400,000*l.* upon their own estates by giving them up; and the same thing will happen possibly in regard to the grain duty, with the result in a few years' time of bringing a large charge upon the general revenues of the Corporation?—Now I think that the only matter of figures that I desire to bring before the Commissioners is this. The following statements show the large amount of expenditure out of its own revenues since the year 1850 on street improvements, public buildings, and educational and sanitary purposes, &c., for the benefit of the City and Metropolis amounting to 781,255*l.* 14*s.* 9*d.* That amount includes a sum for remunerative expenditure of 161,503*l.* 13*s.* producing income, and being as well property applied to useful purposes. And then I have added a list of the amounts spent for Royal and other receptions, which have been for the benefit, no doubt, of the citizens, and to a great extent for the benefit of the country at large, amounting to 251,132*l.* 10*s.* 1*d.*, together 1,032,388*l.* 4*s.* 10*d.* That money was spent out of the City's funds in a voluntary way; they were not compelled—it was not obligatory upon them—but it was an expenditure which they have considered it proper and right to incur in the fulfilment of their municipal duties. I would wish to read the totals of these sums; it would only take a minute or two. They are as follows:—

		Remunerative.			Unremunerative.		
		£	*s.*	*d.*	£	*s.*	*d.*
1854–7.	Monument to the Duke of Wellington, Guildhall.				5,966	15	8
1852–1880.	Improved dwellings for the labouring poor.	59,783	18	0			
1850–1.	New House of Correction, Holloway.				92,700	0	0
1857–1892.	Pauper lunatic asylum - -				98,330	14	10
1863–1871.	Improvement of the Guildhall				50,184	15	8
1864–1876.	Building police stations -	49,175	9	4			
1857–1864.	Sculpture at the Mansion House.				5,988	16	6
1865–9.	Contributions in aid of public street improvements.				41,395	16	1
1865–1892.	Expenditure *re* supply of gas and water.				73,005	17	7
1870–4.	Erection of library and museum				60,234	6	9
1881–1890.	Technical education - -				14,702	10	0
1832–4.	Sanitary expenses, port of London.				20,096	7	6
1889–1892.	Equipment of volunteer force -				4,000	0	0
1883.	Replica of statue of Queen Anne.				1,936	10	6
	New Council Chamber -				47,864	5	3
	Erection of Gresham Almshouses.				4,250	0	0
	Erection of new London Almshous s.				11,487	12	5
	Erection of new School of Music.				25,930	18	6
	Erection of City of London School (less sale of old school). Exclusive of new site, 104,000*l.*				42,583	6	6
1867–1883.	Erection of Freemen's Orphan School.				8,768	10	0
	New offices, Mayor's Court -				6,865	10	9
	West Wickham Common -				628	16	0
	Day Census, City of London -				1,880	11	3
	Erection of new offices, Guildhall (on account).				6,000	0	0
					619,752	1	9
	Purchase of leasehold premises, viz.:—						
	In Whitefriars, Long Lane, Aldermanbury, Aldgate, High Street, &c.	30,058	7	11			
	Erection of Billingsgate Buildings.	22,485	17	9	161,503	13	0
	Total -	161,503	13	0	781,255	14	9

The following are the amounts expended for Royal, Colonial, and other receptions:—

		£	*s.*	*d.*
1851.	Entertainment, Great Exhibition - -	5,754	15	10
1855–6.	Entertainment, King of Sardinia - -	6,498	3	9
1855.	Prefect of the Seine -	831	3	5
	Emperor of the French -	6,742	9	11
1863.	Reception of Princess Alexandra - -	24,354	10	2
	Present to Princess Alexandra - - -	10,000	0	0
1862.	Entertainment, International Exhibition -	6,646	18	8
1863.	Reception of Prince and Princess of Wales -	16,690	5	8
1866.	Visit of Duke of Edinburgh - - -	2,712	16	4
1867.	Entertainment of H.I.M. the Sultan and reception of Belgian Volunteers -	30,683	0	10
1871.	Visit of Prince Arthur -	1,500	8	2
1872.	Thanksgiving for return to health of Prince of Wales - - -	13,249	12	9
1873.	Entertainment of H.I.M. the Shah of Persia -	16,407	12	2
1874.	Entertainment of H.I.M. the Czar of Russia -	13,847	2	3
	Visit of Prince of Wales -	1,821	14	7
1875.	Visit of Prince Leopold -	1,638	11	6
	International Municipal Entertainment - -	12,962	10	0

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		£	s.	d.
1876.	Reception of H.R.H. the Prince of Wales on his return from India	27,576	5	10
	Reception of King of Hellenes	501	10	0
	Intended reception of King of Netherlands	955	13	7
	Visit of Queen to Epping Forest	7,286	2	9
	Entertainment to Municipal Authorities of United Kingdom	2,576	2	11
	Address to Rt. Hon. W. E. Gladstone	1,711	0	6
	Freedoms to Lords Wolseley and Alcester	389	10	10
	Visit of Prince Albert Victor	2,357	3	4
	International Medical Congress Conversazione	2,099	0	7
	International Fisheries Exhibition, Grant	1,000	0	0
	International Health Exhibition, Grant	5,000	0	0
	Colonial and Indian Reception	4,541	14	0
	Shah of Persia Reception	2,048	9	10
	Reception of Mr. H. M. Stanley	1,551	4	10
	Penny Postage Jubilee Celebration	1,759	5	0
1887.	Jubilee of Her Majesty's Reign	11,600	18	1
	Reception of the German Emperor	3,764	3	6
	Conversazione of Hygiene and Demography	2,081	8	6
	Total	251,132	10	1

7037. (*Chairman.*) They are spread over a great many years?—A new Council Chamber, and several remunerative objects, such as purchase of leasehold property, and Billingsgate Buildings. Then a very large amount for entertainment of royal, imperial, and other personages.

7038. 16,000*l.* for the Shah of Persia, I see?—That was in 1873, and the Sultan and the King of the Belgians in 1867, 30,000*l.*; and the reception of His Royal Highness the Prince of Wales in 1876, on his return from India——

7039. I think we may take it that the City has distinguished itself by the functions of that kind?—Yes.

7040. (*Lord Farrer.*) Just one or two further questions I should like to ask. I think you said that the fines on the renewals of leases had been used to pay some obligation of the City—some capital obligation of the City?*—To the reduction of the debt for the open spaces, for Epping Forest, and other open spaces which, the City are anticipating, will ultimately fall upon their revenues so they thought they would begin to pay off at once, and so would apply these funds to it.

7041. And is that the case with the whole of the funds received upon renewal of leases?—No, only those fines which are agreed to be commuted—future fines.

7042. Future fines, that is capital applied to pay off capital?—Future income applied to pay off capital.

7043. In general do fines go into revenue account or into the capital account?—They go into the revenue account.

7044. You treat fines as income?—As income—anticipated income—once in 14 years they come, we look upon it as an extraordinary receipt for that year, but regard it as income spread over the 14 years.

7045. The City have transferred certain expenses, not large expenses, to the Commissioners of Sewers, that is, they have transferred the hydrants or something of that kind, they have transferred certain expenses from their cash, or from these City funds to the rates which are levied by the Commissioners of Sewers; to what extent has that been done, do you know?—The City has expended at the present time in connexion with sanitary matters a considerable sum of money in connexion with the erection of hydrants in the City, and it was thought that was properly the work of the sanitary authority—the Commissioners of Sewers; and they have handed over to the Commissioners of Sewers those hydrants, not making any charge for the great outlay—the cost of the hydrants—the Commissioners of Sewers being willing to take them over and to maintain them in the future; it is only in that way that there is any charge made upon them.

7046. Do the City claim to have a right to throw any charges of that kind upon the rates levied by the Commissioners of Sewers, such, for instance, as street improvements?—No; they have never thrown any street improvements on the City Commissioners of Sewers.

7047. They have not thrown anything, but do you know whether they claim the right to do so supposing the City funds were not sufficient from the falling off in the market rents. Do they claim the right to throw any charge upon the rates levied by the Commissioners of Sewers? Do they regard the rates of the Commissioners of Sewers as anything to fall back upon?—No.

7048. There has been a question, I believe, a rather difficult legal question, as to whether the City have power to levy a county rate within the City. Do you know anything about that?—I do not know what the legal difficulty has been.

7049. No such rate has been levied?—Not for many years; it has not been required. If the City required a county rate, as Mr. Gomme suggested would be required in certain eventualities, I do not think there would be any difficulty. I do not in the least believe there is any difficulty in their levying it.

7050. You think the City might levy a county rate to meet about 57,000*l.* of their expenditure at the present time?—57,000*l.* a year? They spend 57,000*l.* at the present time, which might possibly be levied on the ratepayers.

7051. If they had not the money they might levy a rate to produce 57,000*l.* a year?—It has been so estimated.

7052. Do you know for what expenses that would be?—For Magisterial expenses, Coroner, Administration of Justice, Maintenance of the Sessions House—merely county expenses—not for expenses for the Lord Mayor, or any ordinary municipal expenditure. They might levy a rate to raise money in respect of libraries under the Libraries Act; but I mean under the Common Law, it is within the right of the Corporation to levy a county rate. It might be levied to the extent of something like 57,000*l.* a year to meet expenses the City now pay out of their own general estates.

7053. In some respects we have some figures before us, showing rather large expenditure by the City upon certain items. I do not know whether you have noticed the table which is contained at page 60 of a paper handed in by the London County Council which gives the salaries of various officers?—Yes. I have seen that.

7054. (*Mr. Crawford.*) It is No. 1 statement, I think?—I have seen that. I have it in my hand.

7055. (*Lord Farrer.*) You have not looked at that table to see whether it is accurate or not?—I believe it is. In the first table I saw an inaccuracy in which it set the salary of the Town Clerk at 5,000*l.*; that has been corrected; they have put down the correct amount, 3,500*l.*

7056. You believe it to be accurate?—I believe it to be accurate. I have read it down more than once. I believe that it is a correct statement of the salaries as they exist. Well, the Recorder's salary is 4,000*l.*,

* *See* Questions 6929–31, 6985.

that is stated at 3,500*l.* The salary of the present Recorder is 4,000*l.**

7057. There would be some room possibly for economy in that direction if the City found itself in difficulties ?—Undoubtedly, that is quite possible.

7058. (*Chairman.*) Those are scarcely questions within your purview ?—No. The officers generally, I think, would not approve any reduction of salary.

7059. (*Mr. Crawford.*) Lord Farrer asked you with regard to the question of hydrants; was not the main reason why the hydrants were handed over to the Commissioners of Sewers that they were used for the cleansing of the streets and the streets were under the Commissioners of Sewers ?—That is a sanitary matter.

7060. Now Lord Farrer seems very anxious that there should be a statement of the assets and liabilities of the Corporation. Just tell me, Mr. Payne, from your experience of very many years connected with the finances of the Corporation, do you consider the financial position of the Corporation to-day better than it has been for several years ?—I should say better than it ever has been in any time of its history.

7061. Better than it has ever been in any time of its history ?—I should think so.

7062. What is the amount of the security which is given by the Chamberlain ?—30,000*l.*

7063. And I think an additional 30,000*l.* by guarantors ?—Yes, additional by guarantors.

7064. (*Lord Farrer.*) Are the accounts in such a state as to enable you to give figures for 1893 ?—They are in a rapid state of preparation. They will not be published till after they have been audited; according to the regulations of the Corporation they cannot be, and that cannot take place for some months.

7065. For instance, such general questions as these. What was the cash balance with which they began the year 1893, and what was the cash balance with which they finished ? What transfers have been made from the Reserve Fund ? What property has been sold ? What loans have been raised ? Have any loans been paid off, and if so to what amount ? What investments have been made ? What expenditure on capital account has been incurred in the year 1893 ? What was the amount of the rents received ? What exceptional expenditure took place ?—Oh yes, no doubt if you ask for that, if asked for they would be returned in the course of a short time.

7065*a*. (*Lord Farrer.*) I will give you this.

Perhaps I might refer again to Mr. Crawford on that point.

7066. (*Mr. Crawford.*) I would suggest that it would be far better, if any further information is required by any Commissioner, that the usual application should be made by the Secretary. I could not ask Mr. Payne to come up here to-morrow, he has come up at great inconvenience to oblige the Corporation and oblige the Commissioners.

7067. (*Lord Farrer.*) I am addressing my questions to the representative of the Corporation on this particular subject.

7068. (*Chairman.*) Your answer, Mr. Payne, is, that you are no longer an officer of the Corporation ?—No, I have no access to the books.

7069. You attend here from your past experience, and you can hand the question over to the Corporation if asked to do so ?—The Chamberlain will be the proper person.

7070. (*Lord Farrer.*) You are here, I understand, in the place of the Chamberlain. Perhaps you are in sufficient contact with him to pass on my question to him ?—I will pass it on.

The witness withdrew.

Colonel T. Davies Sewell, Clerk of the Chamberlain's Court, called in and examined.

7071. (*Chairman.*) What is your position, Colonel Sewell ?—Clerk of the Chamberlain's Court.

7072. You have been there for some time ?—Eight-and-forty years.

7073. What is the character of the Court ?—It is a Court for the adjudication between masters and apprentices; it also has the duty of admitting all freemen, and enrolling all apprentices bound according to the custom of London.

7074. Are your sittings quasi-private in cases between masters and apprentices ?—Quasi-private, sir.

7075. The public do not come in in a body always ?—No, they do not, sir. They are not excluded.

7076. But they are not welcomed ?—It is desirable to keep these matters private.

7077. Not excluded and not welcomed ?—Quite so, sir. A very good way of putting it.

7078. (*Lord Farrer.*) And I daresay they do not want to do so ?—Sometimes they do, sir, from curiosity. Perhaps a fellow apprentice might like to come; there are a lot of people in the world who would like to come in.

7079. (*Mr. Smith.*) Come to see the punishment, perhaps ?—Yes, sir, probably they rejoice at that.

7080. (*Chairman.*) There are two judges in this Court when it sits ?—Not two judges sitting at the same time, sir. The Chamberlain is one judge and the Comptroller, who is here to-day, is the deputy-judge.

7081. How often does it sit ?—Whenever required, sir, excepting during the month of August.

7082. Practically, how often does it sit ?—Possibly there are 14 cases a year—not many more; it varies of course according to circumstances.

7083. You commit an apprentice to prison, do you ?—There are two there now.

7084. Blackfriars, or where is it ?—Blackfriars; there are six cells there.

7085. (*Mr. Crawford.*) That is Bridewell ?—Bridewell.

7086. (*Chairman.*) What kind of offences are the two there now charged with ?—Idleness, sir, coming late in the morning, and insubordination; those are the three principal—and absence generally. There is a case now in Bridewell where the boy absented himself for three months—played truant.

7087. There is another jurisdiction ?—Concurrent, sir, with the magistrate.

7088. Concurrent jurisdiction ?—Yes.

7089. But yours is preferred, as a rule, is it ?—Very much, sir; in fact, they come back; after having been to try the Justice room they come back to us saying that they prefer it.

7090. Who return to you, the masters ? — The masters, sir.

7091. Are the apprentices represented by any official person ?—No, sir; as a rule the father generally comes with them, but if the apprentice desires to have a solicitor he is there as a friend, but not in his legal capacity.

7092. He does not appear as a solicitor ?—Not as a solicitor, sir; there are no expenses connected with the Court. A shilling is the extent for a summons, and that is not always enforced.

7093. Do you have cases of apprentices against the masters ?—Sometimes, sir. There was a case this last week.

7094. What was the character of that ?—He refused to work overtime, sir.

7095. Who ?—The apprentice. The master wished him to work overtime and the apprentice refused to do so. The apprentice came to complain of his master.

* *See* Harrison, 968.

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7096. For doing what?—For asking him to work overtime.

7097. Is asking an offence?—The apprentice considered it so.

7098. What was the result?—The complaint was dismissed, sir.

7099. Have you got any case of a successful complaint of an apprentice against the master?—Not for overtime, sir, but for working too long hours. In the printing trade unless there were some overtime as you know, sir, the trade would be almost at a standstill.

7100. Are there many cases of misconduct alleged by apprentices against masters?—Not now, sir; very seldom. There are very few masters who do not act justly by their apprentices.

7101. There are some small fees paid in relation to these cases?—No, sir, none except the summons 1*s.*, and that, as I say, is not always enforced; in fact they do not want a summons in most cases; they come voluntarily.

7102. Are there many apprentices now annually bound in the City?—As far as I can calculate, sir—it is difficult to ascertain—I think there is something like 2,000 serving at the present time.

7103. 2,000 serving?—I think so, sir.

7104. What is the average length of servitude?—One can hardly tell, sir, because there has been a new system introduced by the Corporation, of reducing the term to four years; that has only been in existence three or four years, and I have no means of striking an average.

7105. This Court also keeps a roll of freemen, does it not?—It does, sir.

7106. Of freemen.

7107. Honorary freemen solely, or all freemen?—Oh, no, freemen by service, patrimony and redemption, as also honorary freemen.

7108. And how many get admitted in the course of the year?—On an average, sir, I think it is nearly 500 a year during the last 30 years.

7109. Have you a roll of freemen—of living freemen?—We cannot tell, sir, after they have been admitted. We do not know whether they are living or not; we do not follow them.

7110. (*Mr. Smith.*) They are immortal?—I dare say they wish they were themselves.

7111. (*Chairman.*) Have the Livery Companies anything to say to your Court?—They all present their freemen to us, sir, for without having been recorded by the Chamberlain they cannot admit to the Livery.

7112. On the other hand, you can admit a freeman without his being a member of a Company?—Oh, yes; since 1835.

7113. No one can be admitted a liveryman without being a freeman of the City?—He may be admitted a freeman, but not a liveryman.

7114. (*Mr. Crawford.*) A freeman of the Company?—A freeman of the Company, yes. There are three distinct phases, as it were—freeman of the Company, freeman of the City, and liveryman.

7115. (*Chairman.*) And a lad may be bound an apprentice within a Company?—Oh, yes; and he usually is.

7116. Without coming to you?—He must afterwards be enrolled in our Court, otherwise the Master cannot enforce the apprenticeship after 12 months. When enrolled the Chamberlain sees that the binding is perfectly regular in every way according to the custom of London. If not enrolled he can sue out his indentures without asking his master's consent.

7117. (*Mr. Crawford.*) To what date does this Court go back?—To 1307: and before then, I think, but certainly as far back as 1307.

7118. Is it a Court that is still much appreciated by trade interests in the City?—Very much, and I think that is shown by the very influentially signed petition some time ago, when Sir William Harcourt brought in his Bill for the abolition of the Court.

7119. Has the jurisdiction of the Court been upheld by mandamus by the Superior Courts?—Oh, yes, always.

7120. Can you tell the Commissioners the number of freemen admitted during the last 30 years, about?—I think it was 17,000, sir. 17,494 I think it was, speaking from recollection.

7121. And what is the voting number in Common Hall of the Livery?—Between 8,000 and 9,000.

7122. (*Lord Farrer.*) How many cases did you say you had of apprentices in your Court in the year, 14?—About 14.

7123. (*Mr. Smith.*) What can you do to a master if his apprentice complains against him, and in your opinion has just cause of complaint?—The Chamberlain makes an order, and that order if not obeyed would go to our upper Court where penalties exist and are enforced.

7124. What would happen in the Upper Court?—He would be mulcted and fined by a jury as was the case——

7125. (*Mr. Crawford.*) The Upper Court, being the Mayor's Court?—The Mayor's Court. It is not desirable to mention names, but I could put on paper the name of a very first-rate firm who allowed the order to go to the Upper Court and suffered penalty.

7126. It is a pecuniary remedy?—It is a pecuniary remedy. In former times the Master was committed to prison.

7127. (*Mr. Smith.*) I had read that somewhere?—It has not been exercised for I should think 100 years.

7128. (*Mr. Crawford.*) It is on the records of the Court?—Yes.

7129. (*Mr. Smith.*) As far as you know the law is not repealed?—I think it is custom to a great extent.

The witness withdrew.

Mr. H. F. Youle.

Mr. Henry Frederick Youle, Clerk of the Special Sessions, called and examined.

7130. (*Chairman.*) What is your position, Mr. Youle, in the City?—I am Clerk of the Special Sessions, that is Clerk to the Justices, and I am also Clerk to the Visiting Committee of the City of London Lunatic Asylum, Stone, near Dartford.

7131. Is your work principally connected with the Lunatic Asylum?—Oh, dear no, sir; my work is specially connected with the Sessions; the justices. I am also Clerk to the Police Summons Court, which sits at Guildhall twice weekly, and disposes of an average of 34 summonses at each sitting.

7132. The Corporation is the Local Authority in respect of lunacy in the City?—Yes, that is so, sir.

7133. The asylum is at Dartford?—At Stone, near Dartford—about two miles from Dartford.

7134. When was it built?—Completed in April 1866, I think.

7135. And how is it supported?—It is supported by contributions received from the Board of Guardians of the City of London Union, who pay for the different pauper patients chargeable to the Union, and is also to a small extent defrayed from the City's cash, sums received from the City's cash for the maintenance of what may be termed wandering lunatics or paupers who have no settlement in the City of London and who would be otherwise paid from the county rate and are now paid for from the City's cash. That is the minor portion of it. The greater sum of money is derived from the Union funds.

7136. It might be supported by a rate?—The asylum itself?

7137. Yes?—No. I take that not to be so. It is not the asylum itself as it now stands. The patients chargeable to the union are paid for from the poor

rate. There can be no doubt in the world, sir, if a county rate were made that those paupers, the expenses of whom are now defrayed from the City's cash, would be paid for from that county rate.

7138. But the City's cash relieves the county of the obligation?—That is so, sir.

7139. It would be within their power to levy a rate for that purpose?—In the early days, until some recent Act was passed, the name of which I have forgotten for the moment, the power of levying that county rate was in the County Justices; but now it is vested in the Court of Common Council.

7140. (*Mr. Crawford.*) That Act is the Local Government Act of 1888?—Yes, the Local Government Act of 1888, I am much obliged, I had forgotten for the moment.

7141. (*Chairman.*) What is the amount spent out of the City's cash in respect of this?—I have not got the figures here, but the amount is 1,200*l.* or 1,600*l.*; but the facts can be easily ascertained if it is thought desirable.

7142. About 1,200*l.* or 1,600*l.* a year?—A year.

7143. And the capital cost of the asylum?—The cost was about 77,000*l.*

7144-5. How was that defrayed?—That was defrayed from the City's cash.

7146. Is there any attempt made to repay that cost as a part of the expense of the asylum?—To repay the 77,000*l.*; not that I know of.

7147. That 1,200*l.* or 1,600*l.* is quite independent of anything in connexion with the original outlay?—Oh, yes.

7148. (*Mr. Crawford.*) Was there originally a county rate made by the justices for the building of the original asylum, and subsequently was that resolution rescinded upon a petition from the ratepayers of the city?—In the early days the justices prepared a basis or standard for a county rate. That was never actually put in force. There is no doubt in the world that at the time you refer to the citizens were very strongly opposed to the making of a county rate, and petitioned, I assume, against it. That was before my time.

7149. And so the Corporation bore the cost out of its own money?—Bore the cost not only of the original buildings, but also of subsequent additions.

7150. (*Chairman.*) You have got pages 22 and 23 of the City's Blue Book before you?—I have, sir.

7151. That gives an account of the number of licenses which were granted or renewed at your sessions?—That is so.

7152. How many attend, as a rule, those sessions, forming the bench?—Are you speaking of the General Annual Licensing Meeting, or of the ordinary transfer sessions?

7153. The Annual Licensing Meeting?—Seven justices are appointed to form a Licensing Committee, that being the maximum number allowable by the Licensing Act.

7154. Seven aldermen, that would be?—Seven aldermen, as justices.

7155. And the renewal sessions?—The renewal sessions would be the same sessions.

7256. Transfers?—At transfers there is a rota for six aldermen to attend. Two are quite enough, but the rota is made for six to attend, so that there will be no fear or difficulty in securing the attendance of a proper number, but usually four or five attend.

7157. Are applications often contested?—For new licenses?

7158. Yes?—Oh, yes.

7159. By whom?—By persons in the immediate neighbourhood who are not desirous I suppose of having any licensed house there, and secondly of course, by members of the trade.

7160. Do the City police get represented at these sessions? Do they ever appear?—The City police are there to answer any question that may be addressed to them by the bench; in the ordinary way they would not oppose.

7161. But they are ready to answer any question?—They are ready to answer any question, yes.

7162. Is it usual to appeal to them; are they frequently asked the character, for example, of a house before transfer?—If necessary, the police are sworn as witnesses, and depose to any particular facts anyone is desirous of asking them about, the solicitor for the applicant, or for the persons who are opposing.

7163. (*Mr. Crawford.*) Is there not a usual question put by the Clerk of the Court to the Police whether there is any complaint?—That is in all cases of transfer matters. One of the questions put by the Clerk is are there any complaints against the applicant or the premises. The answer is generally in the negative. If it should be in the affirmative, he asks, of course, what are the complaints?

7164. (*Chairman.*) The number of licenses seem to be in process of reduction slightly?—That is so, yes.

7165. (*Lord Farrer.*) Is that in consequence of the fact that in the City premises are now more occupied for business purposes?—It may be put down to that to a very large extent, but the tendency of the age seems to be not to grant new licenses.

7166. (*Mr. Crawford.*) It is a difficult thing to get a new license in the City.

7167. (*Lord Farrer.*) There are more eating-houses without alcoholic liquors?—Quite so, and in later years there have started up aerated bread shops which has made very great difference.

7168. (*Mr. Smith.*) Is that a substitute for drinking?—Oh, yes, very largely.

7169. (*Mr. Crawford.*) I asked you a question a little time back; it is a very difficult thing, is it not, to get a new license in the City?—New licenses are very rarely granted, and prior to new licenses being granted a committee of the magistrates go round and inspect the premises to see whether it is a fit and proper house and whether it is wanted by the public—not by the individual.

7170. (*Lord Farrer.*) How many days do the sessions altogether take for their business—how many days in the year do the sessions occupy?—On every day of the year, including of course the transfer sessions. Well, there is first the meeting which may be called the call over or renewal day, the day fixed for the inspection of the houses, then there would be a day fixed for hearing the applications, and then when the new license is granted by the Committee it has to be confirmed by the whole court, which makes the fourth day.

7171. I do not mean how many days are taken in each case, but how many days in the year are the sessions sitting?—I should say about 16 or 17 days during the year, perhaps not so many, but there are eight special sessions, probably four or five, in connexion with the general annual licensing meeting, probably 13. I was a little bit in error when I said so many.

7172. (*Mr. Holt.*) There would appear to be very few appeals against the decision of the justices?—Very few.

7173. I suppose the appeal is to Quarter Sessions, which are again a body of justices, which are the same body?—Not the same magistrates as hear the applications, but other magistrates with the Recorder in the chair.

7174. Other magistrates of the City of London?—Certainly.

7175. (*Mr. Crawford.*) You also act as clerk to the Visiting Committee, as far as the Corporation is concerned, of Her Majesty's prisons at Newgate and Holloway?—At Newgate and Holloway, yes.

7176. May I take it, Mr. Youle, generally, that the various statements which appear in this Blue Book from pages 22 to 30 have practically been prepared under your supervision?—Yes, undoubtedly.

7177. And you are ready to speak as to the accuracy of the statements here made?—Yes. I should have preferred to have added one or two little things to have brought the matter up to date.

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7178. What do you wish to add?—I had a paper down here, it is not very material, if you look at page 26 the following is the number of applications for transfer of licenses heard during the past seven years' 1887, 88, 89, 90, 91, and 92, and part of 93; I have since made it up for the whole of 1893.

7179. It is merely bringing it up to date?—Merely bringing it up to date.

7180. Still the figures here are a very fair example?—Are a very fair example.

7181. And they are accurate?—To the best of my knowledge certainly.

The witness withdrew.

Mr. E. W. White, M.B.

Mr. Ernest William White, M.B. Lond., M.R.C.P. Lond., Medical Superintendent of the City of London Lunatic Asylum, called in and examined.

7183. What is your position, Mr. White?—I am the medical superintendent of the City of London Lunatic Asylum.

7184. That is the one near Dartford, about which we have been hearing?—Near Dartford.

7185. How long have you been there?—I have been there since July the 1st, 1887.

7186. You have seen the account put in by the Corporation, the statement put in with respect to the asylum?—I have, yes.

7187. And it is an accurate statement?—Yes, it is accurate. In my evidence to-day I should rather explain one or two paragraphs.

7188. What is it you wish to modify?—With regard to the various improvements when they were done, for instance the alternative water supply was made in 1887, the sewage system in 1890, the improved system of lighting and ventilation in 1888, the enlargement and redecoration of many of the wards in 1891 to 1893, and the renovation of the dormitories and laying out of the grounds extended from 1888 to 1893. Then I should like to say that the expenses of taking over the additional land mentioned, the 107 acres, from the tenant, and compensation for unexpired lease and crops was borne out of the maintenance fund.

7189. Does it more than pay its way, then?—The farm is just beginning to get straight, it has been a great trouble to us as the land was very much run out. I should like to state that the cost of maintenance per patient for 12 months ending June 30th last, was 10*s*. 2*d*. per week, the average cost of maintenance per patient in the borough asylums of England and Wales for 1892 having been 10*s*.

7190. What does that include?—That includes the maintenance of the patients; it is really for their board as apart from their lodging, you know.

7191. Does it include establishment charges?—The ordinary establishment charges, yes.

7192. Also, but nothing for lodging?—We have two funds, the maintenance fund and the building and repairs fund, which are kept absolutely separate. The building and repairs fund falls upon the City's cash; the maintenance fund falls, for the City of London Union patients, upon that Union, and for the Corporation patients, upon the Corporation.

7193. How many patients have you got?—We had on Saturday last 211 males, and 241 females, total, 452, the present accommodation of the asylum being for 455 patients, there being 215 beds for males, 19 at the Cottage Hospital, and 240 for females.

7194. Then you are very nearly full?—Therefore the institution is practically full. You will see set out in the Corporation statement the maintenance of these patients as it falls, how they are chargeable. There were 350 on Saturday last chargeable to the City of London Union. There are 37 who, being without a settlement, are consequently chargeable to the Corporation. This is brought up to Saturday last, my present statement, there are 20 chargeable to unions and parishes outside the city, and there are 45 paying patients of the private class, received in pursuance of a resolution of the Visiting Committee of the 1st January 1892.

7195. Were there none admitted before that?—Not till the 1st January 1892.

7196. That was a new class?—That was a new class, and we have 45 at the present time; they pay a guinea a week. Now the average number of patients in residence during the past seven years has been 421. The admissions during these years have been as follows: in 1887, there were 98 patients admitted, in 1888, there were 84; in 1889 there were 59; in 1890, 51; in 1891, 50 in 1892, 114; in 1893, 100. If you deduct the 61 private patients admitted, this gives an average of 70·7 pauper patients admitted annually. These patients come from the City of London Infirmary, the justice rooms of the Mansion House and the Guildhall and some few from their homes. Our recovery rate as you will observe, sir, has been very good for some years past: the combined average reco very rate for the years 1888 to 1892 inclusive for the City of London Asylum was 52·24 per cent. calculated on the admissions, the recovery rate for England and Wales for the decade 1883 to 1892 being 39·73.

7197. How do you account for that great superiority of the power of recovery of a city patient?—Well, I account for it to a considerable extent from the limited size of the asylum. It is generally accepted at the present time that asylums with not more than 600 patients are those which offer the best prospects of recovery, for the individual cases are known to the superintendent and the acute and recent cases are not lost sight of amongst the chronic. Our death-rate you will observe has always been below the normal asylum death-rate for England and Wales. I have here a chart which shows this very distinctly.

7198. Your numbers are small and that makes a considerable variation?—Yes, it does.

7199. You are not large enough to have a perfectly steady rate?—No, but that is the rate since 1866; this dot represents it from year to year, and a line represents the average asylum death-rate for England and Wales, we have never reached it.

7200. You had an enormous jump up last year?—Owing to an epidemic of influenza; we had a very bad epidemic of influenza last year.

7201. (*Lord Farrer.*) And that affected the death-rate?—That affected the death-rate.

7202. Of the lunatics?—Of the lunatics, yes.

7203. (*Chairman.*) That great variation represented, I suppose, about 20 deaths above the average, did it, in last year?—No, not so many as that; I think I can tell you in a moment; the deaths in 1892 were 35.

7204. In 1891?—And in 1891, 19.

7205. Sixteen is the difference?—Sixteen it was.

7206. In 1890 there were still fewer?—In 1890 there were still fewer; I think the death-rate falls there again.

7207. It has dropped down again?—It has come down in 1893, and our recovery rate has gone up this year.

7208. How is your visiting committee composed? The visiting committee is composed of 12 members, all appointed by the Court of Common Council; four are aldermen and eight are commoners.

7209. How often do they come and see you?—They held 45 meetings during the year ending July 1893, of which four meetings were those of sub-committees. I should state that the present asylum buildings could not be further enlarged, because of the limited area of the administrative centre and the proximity of roads on the east, west, and south. A second asylum or *annexe* as it is termed on the new land which is not well adapted for a building site

would alone be possible. We have roads in somewhat close proximity on the east, west, and south of the present building. I have appended to this statement extracts from the Lunacy Commissioners reports from 1888 to 1892 inclusive, made after their annual inspection.

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7210. They appear to give a very good account of it?—Thank you.

The witness withdrew.

Mr. Arthur Tempest Pollard, M.A., Headmaster, and Mr. George Robert Renwick, Secretary, of the City of London School, called in and examined.

Mr. A. T. Pollard, M.A., and Mr. G. R. Renwick.

7211. (*Chairman to Mr. Pollard.*) You are the headmaster of the City of London School, Mr. Pollard?—Yes.

7212. How long have you been there?—Four years.

7213. In succession to Dr. Abbott?—Yes.

7214. Had you been there before?—No.

7215. Are you appointed by the Corporation?—Yes, by the entire body of the Corporation.

7216. Was there a selecting Committee?—There is a selecting Committee consisting of three professors of University College and three professors of King's College; they read through the testimonials and submit three names to the Court of Common Council, and then the Court of Common Council choose one from among the three.

7217. The Court of Common Council is the body that votes with respect to these three?—Exactly.

7218. You have read the memoranda put in in respect of the school and the criticisms of Mr. Gomme?—Well, I have read the one criticism that there is no reason in law why the fees of the school should not be regulated so as to make it self-supporting. On that point I should like very much to advance further evidence; should I read what I have written here?

7219. Yes?—With regard to this statement I beg to say that the fees at present charged together with the railway fares which in the great majority of cases have to be paid by the parents or guardians of the pupils—who live mainly away from the City—come to an amount that brings them pretty much on the level of a school where the fees charged are 20*l.*, which is a distinctly high fee. If the fees were raised beyond what they are now, 15*l.* 15*s.*, the probability is there would be a considerable falling off in the attendance. There was a great falling off in applications when the school was removed from Milk Street to the Embankment. Before the removal the fees were ten guineas, and there was a considerable excess of applications over admissions. When the school was removed to its present site on the Victoria Embankment the fees were raised to 12*l.* 12*s.* and 15*l.* 15*s.*, and the applications for admission have been only sufficient to keep the school full.

7220. They are still 12*l.* 12*s.* and 15*l.* 15*s.*, are they?—They are still 12*l.* 12*s.* and 15*l.* 15*s.* with an extra guinea or two guineas according to the time devoted to drawing.

7221. What is the number which constitutes a full school?—Well, the school is built for 680; as a matter of fact we are a trifle over; we are 698, and we have a few more boys waiting. The whole of last year we had 10 or 12 more boys wanting to come in than I could admit.

7222. When the fees were 10*l.* 10*s.* there was a crowd of boys waiting to come in?—Yes.

7223. (*Lord Farrer.*) But you are full at present?—Yes. We are full at present, with just enough applications, practically, to fill up the vacancies. It will be seen, therefore, that in order to compete with other schools the fees must be kept fairly moderate in amount having regard to the necessary expense of reaching the school. The absence of playing fields would also prevent the coming of a class of boys who would be disposed to pay a higher fee.

7224. How do your fees compare with the University College School?—Well, the University College School fees are about 24*l.*, but it is most instructive if you pursue it further with regard to the history of that school. I do not know that I am entitled to say anything about another school, but there were 600 boys there some time ago and the number I saw in the returns of the County Council was 452. The King's College average was formerly some 400, and now it has been reduced to nearer 200. St. Paul's, by going to the West End, has affected both these schools. Still it is an argument in point when the question of our fees is to be considered. The fees at the Merchant Taylors' School are a fraction lower than ours. I have calculated it out, and it comes, I think, to 10*s.* per head less than ours. That would be the school with which we should compete. I do not think 24*l.* schools with railway fares added, as everybody lives out, will be able to hold their own in future. In the case of St. Paul's School where the fees are 24*l.* 9*s.* most of the boys are resident round. Our fees are higher than yours at Birmingham, Mr. Smith. At the high school there, according to my recollection, the fee is only 12*l.*

7225. (*Chairman.*) You are very favourably situated with respect to railways?—Yes, we are on the whole, except the North London Railway. It is a long way to come from Broad Street; but except that we are very favourably situated. There is one thing we have to consider in the immediate future, namely, that the Mercers' Company are going to bring their school which is now near Cannon Street Station into Holborn on the site of Barnard's Inn, and instead of being a school for 150 boys at 5*l.* a year, they are, I am informed, to raise their fee and have a school of 300 boys. That will be competition at our very doors.

7226. Are they going to pull down Barnard's Inn? Yes, they are going to pull it down and erect a school there. That is the educational outlook all round. I should not like to give my opinion as to these schools, except under reserve as to its perfect accuracy. Another point to be considered in this connexion is the fact that very many of the masters are young men who will be paid progressive salaries, and this will, of course, entail a larger expenditure in years to come. The practice of the Court of Common Council, I may just interpolate, is not to give the full salaries at first, but to begin at lower salaries. For instance, I might give my own salary. My own salary is 1,000*l.*; well, that is about 500*l* less than the salary attached to any similar post, but it is known that in course of time a person's salary is raised to a higher amount if he gives satisfaction; well, it is the same all down.

7227. What is the salary of the Master of Christ's Hospital?—That I cannot tell you. The salary of the similar headmaster in Birmingham I can tell you, it is 2,000*l.* The salary is about 2,000*l.* in St. Paul's, 2,000*l.* at Dulwich, at Manchester Grammar School 1,400*l.* to 1,500*l.*, so that the amount paid with us is not excessive. The Secretary tells me that he thinks the salary of the Head Master of Christ's Hospital is 1,300*l.* and a house, or it used to be.

7228. At Christ's?—That is apparently what it used to be once upon a time. I do not know of my own knowledge. I should not like that to be taken as perfectly certain, but I know the others are accurate to a hundred or two.

7229. (*Mr. Smith.*) You are right as regards Birmingham?—Dulwich, for instance, depends on a capitation grant, so that you can never be right as to that. Mine is a new appointment. I have only been there four years. When I went there there were five or six masters of great age—one over 70; they have retired and their places have been taken by young

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men, so at the present moment the amount paid in salaries is small—is distinctly small. In a most valuable report of the London County Council on technical education they gave the average cost of various schools, and we come out far the lowest, which was partly due to that.

7230. In that respect you are rather peculiar in the city of London?—I do not know about other posts.

7231. (*Lord Farrer.*) Are there pensions to retired masters?—Yes, there are pensions to retired masters.

7232. Those have to be taken into account?—In the past they had, but now there is a pension scheme to which the masters contribute. Those who have been fortunate enough to serve before the pension scheme have got their pensions without paying for them.

7233. (*Mr. Crawford.*) That is of very recent origin?—That is of very recent origin. I think it affects all present masters; they will have to pay in order to get their grants.

7234. And all the officers of the Corporation?—And all the officers of the Corporation, too; so that it will not in future have to be taken into account.

7235. (*Chairman.*) The question of raising fees was recently considered by the Corporation?—There is a very important report on that subject, the substance of which is given here. It was considered most carefully, and our Committee went into every detail. We got information not only about Birmingham, which Mr. Vardy, who was an old City of London boy, supplied to us; but we also got some information about another school in London. I ought not to mention that, perhaps. Then I got information from Manchester. I knew a great deal about Dulwich, where I have been a master. I had got most of the information, and with the County Council report giving the amount of expenditure elsewhere we were able to see that in cheapness of working, owing rather to the accident of new masters coming in at this moment, we took a very high place. However, this is the point to bring before you; the Common Council, when the report was presented to them accepted it without debate, it was felt to be so conclusive.

7236. (*Chairman.*) You have a standing committee for your school?—A standing committee of 35, I think, is the number, a certain number of aldermen and common councilmen.

7237. With some alderman as chairman for every year?—No, a common councilman is chairman; an alderman is never chairman.

7238. Has that always been so?—I cannot say that an alderman is never chairman. (*Mr. Renwick.*) Mr. Alderman Hale was Chairman year after year, and then he was made president; because they objected to his being Chairman he was made President and so he sat above the Chairman for several years. (*Mr. Pollard.*) Yes, of course, long pre-historic to me. It is important to remember that other schools in the Metropolis have very generous assistance accorded them—7,000*l.* a year is given by the Merchant Taylors' Company for the conduct of their school. I think I am accurate in my recollection of the headmaster's statement at the headmasters' conference, we could not hold our own, of course, except under somewhat similar conditions. Then to come to the next point I put here. The curriculum of the school is a very wide one in order to meet the varied wants of the large number of scholars. The object of the School is not only to give the old classical and mathematical training but to afford a thorough commercial education, including scientific and manual instruction. Great developments have been made during the last 4 years by the creation of a modern side and by the increased facilities for teaching natural science. For instance, we have something under 200 boys in the junior section. Then we divide into two sides and we have 224 boys on the classical side. On the science and modern sides together we have 280 or 290, there is a little excess towards the modern education.

7239. (*Lord Farrer.*) Do you get anything from the London County Council now?—No, nothing whatever.

7240. (*Chairman.*) Is there any relation between your school and the Cowper Street School?—None whatever.

7241. Do they get anything from the London County Council?—I think not, now that they have got an endowment out of Dulwich College. I should think it is very doubtful. There is one point in connexion with the composition of the school that may be stated. It may be mentioned that although the sons of freemen have the preference in admission to the school, 12½ per cent. only of the scholars are sons of freemen and householders. Really, boys come from all parts, from Surbiton, Blackheath, Plumstead, Potter's Bar, Barnet, and Chingford. Then from Hampstead and Finchley, West Kensington—everywhere all round; in the East Central District and the West Central District, added together, there are not 50 boys who reside. So that you can see how the school is mainly made up of boys who have to pay railway or tram fares, or something of that kind. Then, next to this class of boys (sons of freemen), preference is given to boys holding scholarships under the London School Board, of whom there are a considerable number in the school, many of whom have done remarkably well. This is the only similar school in London where Board School scholars are thus taken, and we have had a senior classic, Mr. Barker, who was the first Board School scholar that came to the school.

7242. He has just died in New Zealand?—Yes, he has just died in Australia. Then Mr. Pond, a professor in New Zealand, was a fellow of St. John's, and took a very distinguished position, and he was a Board School scholar. Then, only half-a-year ago, a Board school scholar was elected to a fellowship at one of the Cambridge colleges, he had got two first-class distinctions for classics, and was one of the selected for the Chancellor's medals, so that those scholars have held very high positions indeed. The Corporation is very proud of its attitude on this question

7243. How many do you get a year of Board School boys?—(*Mr. Renwick.*) Six. (*Mr. Pollard.*) Well, it is not absolutely, but it is generally, six. It is five or six, I think. At the present moment we happen to have 24 altogether; but this has varied since I have been head-master considerably. It varies from 17 or 18 to 24. Those are the points that I wished to add to what has been said.

7244. (*Mr. Crawford*). One point I wanted to ask you about. The Corporation has lately contributed largely in connexion with the technical classes, has it not?—Yes; during the last four years it has been necessary to make great extensions in that direction. The Corporation gave 1,200*l.* for building new rooms, and has given 500*l.* a year—about 500*l.* having being spent before—in order that everything should be complete in a scientific direction. It has spent money tremendously in order to give effect to modern requirements during the last four years.

7245. (*Lord Farrer.*) Have you any prospect of getting anything from the London County Council?—Well, I do not see how any steps that have been yet taken will be likely to affect us.

7246. Not in the way of laboratories?—Well, everything is provided—practically everything has been provided for in this expenditure.

7247. Or scholarships?—I do not think the boys that pay our fees would be boys that could get them.

7248. (*Mr. Crawford.*) I take it that the Corporation has really expended something like 5,000*l.* a year in excess of receipts on the school?—I can speak to that as being so for the last two years, and it has been over 5,000*l.*; with the statutory annual grant of 900*l.* it has been over 5,000*l.*

7249. Over and above receipts?—That is, of course, including the pensions, and reckoning the pensions at

1,200*l.*, take 1,200*l.* off and it would give you the amount spent on the school. That has been partly due to the expenditure on the building, but the same amount—about 5,000*l.* a year—will be required in future, partly on account of the comparatively low salaries at present paid.

7250. (*Chairman.*) The pensions will die off, and the salaries will increase?—That is about what it will come to. The pensions will come out of a separate fund altogether.

7251. (*Mr. Crawford.*) I take it that the statements which appear in the Corporation Blue Book are correct?—As far as they are within my knowledge they are correct, and I tried to verify all that I reasonably could.

7252. (*Chairman.*) Are the scholarships at all increasing in number?—Scholarships gained at the University or held in the school?

7253. Leaving scholarships or other schoiarships, I mean those founded by private benefactors, and not founded by the Corporation?—No, practically not. One was founded by subscribers in memory of Dr. Cuthbertson, but practically, they are what they were five years ago.

7254. (*Lord Farrer.*) Where do boys go when they leave you?—Into business, largely.

7255. Not many to the Universities?—There have been six scholarships gained at the Universities each year. We keep up the tradition. A large number do not want to go, but there is the ladder. The classical side, although it provides for them, is largely taken advantage of by boys who go in for the London Matriculation examination, and who have not the ability to distinguish themselves by getting scholarships: but the ladder is there for any clever boy in the school. It seems to be an ideal school in that way, we do not send up a number of boys who starve afterwards, who are not good enough to make their way, but a select few go to the University, and most go into business.

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7256. (*Chairman.*) Six gain scholarships at the University?—That is about the average.

7257. Do many go without getting entrance scholarships?—Hardly any, perhaps an average of one or so.

7258. (*Mr. Smith.*) At what age does the average boy leave your school?—It varies slightly, but it is about 16. With regard to that I ought to state that there are always a certain number who come to us and who after coming for one or two terms, leave, as the railway journey does not suit them, they say. That pulls it down below 16.

7259. They are removals rather than leavings?—Yes, they are removals, and those you have always to allow for. Of course the boys that go to the University go at about 19, and other boys will leave at about 15 to 16, with a leaning towards 16. Of course several boys going into business leave at 17½, but it is very difficult to define the matter further. I think that what I have said gives you better information than taking a mere average.

The witness withdrew.

Mr. Robert Edward Montague, Master of the Freemen's Orphan School, M.A., called in and examined.

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7260. (*Chairman.*) You are the master of the Freemen's Orphan School?—Yes.

7261. How long have you been so?—For three years and a half.

7262. Is that a school for boys?—It is for both boys and girls. There are 100 boys and 50 girls.

7263. Are they boarded as well as taught?—They are boarded,—fed, clothed, and educated.

7264. At what age do they go in?—They may come in at between 7 and 10. We sometimes have them over that age, but never after 12. They remain until they are 15. We can keep on two boys and two girls as monitors and monitresses respectively, and they remain until 16—for another year.

7265. Where is the school?—At Brixton.

7266. You have read this portion of the Corporation's memorandum apparently?—I have not only read it, but I may say that I have had a considerable hand in the preparation of it.

7267. And upon reconsideration have you anything to add to it?—I think not, sir.

7268. The cost of the school is entirely defrayed by the Corporation?—By the Corporation.

7269. That is by actual money out of the City cash, and by allocation of Freemen's fees?—Yes, sir.

7270. There are some other receipts?—There are some receipts, I believe, which you will find at page 287.

7271. (*Mr. Crawford.*) A small sum, 50*l.*, invested in Consols?—It is very little, sir.

7272. (*Chairman.*) It is 600*l.* of other sums? At page 287, sir, it is stated, "The school has a very "small amount vested in Consols (bringing in less "than 50*l.* a year), and also some freehold property, "but as before pointed out, is mainly supported by "contributions from City's cash."

7273. (*Lord Farrer.*) Is it a perfectly free school?—Perfectly free, my Lord, except with this restriction, that it is only open to the sons of freemen or the daughters of freemen.

7274. But I mean nothing is paid?—Nothing is paid; there is no fee of any description whatever.

7275. How do children get there?—They are elected by the Court of Common Council. They are first approved by the Committee and afterwards they go to election by the Court of Common Council.

7276. Do the Committee select at all?—No, my Lord, they do not select at all. You might say, if there is a selection at all, it is in the hands of the doctor and myself, and then it would depend entirely upon physical ability, or upon qualifications of an educational nature. If a child could not read or write, he or she would probably be rejected until he or she could read and write.

7277. Are there many more applications than you can deal with?—They vary. Now last year we had a superabundance of applications on the boys' side; but at the present moment we have an abundance on the girls' side, and we have rather a paucity of applications on the boys' side. We have three short. This time last year we were full, and the year before. Next year we shall probably have the same thing again.

7278. What age do they come about generally, and what age do they leave?—Well, they average coming to us between seven and nine. You see the mother, as soon as she is a widow, would make application to get her children into the school. You cannot always depend upon what age they will come to you. Some children have, perhaps, come to the age of 10 or 11 before the father dies.

7279. What age do they leave you?—Fifteen.

7280. They always leave you at 15?—Yes.

7281. What do they do?—They go into business. At the present time we have one with the City Solicitor who is doing very well. Many of them go into business, some are also engaged in teaching.

7282. (*Chairman.*) You send them in for the University Local Examinations?—Yes, for the last three years and with very great success, we have only had one failure in the school on each side.

7283. You send them up to the winter examination?—We send them up to Cambridge. We have our own annual examination in June, and it would be inconvenient to have two examinations at the same time.

7284. (*Mr. Crawford.*) You have what is called an Apprentice Premium Fund, have you not?—Yes, we have. A sum of 300*l.* a year is allocated to this purpose.

7285. The children are apprenticed to particular trades?—Yes, I was going to say, in regard to children who leave, that the Committee will apprentice them to

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any trades that they choose to select. Many are and have been apprenticed in that way. Apprenticeship, however, seems to be dying out, and children seem to prefer to go into a place where no apprenticeship is necessary. The idea of binding them down seems to be objected to very much nowadays.

7286. (*Chairman.*) And what becomes of your girls?—The girls mostly are apprenticed either to dressmaking, millinery, or something of that kind. Some of them go into the Telegraph Department of the Post Office, and some into the Post Office. Others become teachers in the Board Schools and private schools. I know of one or two instances now of children who are being trained for teachers, whilst one is at the present time a mistress in the school.

7287. I see you say that some of your boys go to the Universities; do they go direct?—No, they never go direct, but go to some other school first. I believe it is now in contemplation to form a scholarship between this school and the City of London School, to form a bridge to enable them to go from this school to the University.

7288. First from your school to the City of London School?—Yes.

7289. And from it to the University?—And from it to the University. With regard to the salaries, I do not think you would have any cause for thinking that they were overpaid at this school. There is no question whatever in regard to the Assistant Masters and Mistresses.

7290. I think I may say that we are not going to revise your salaries?—I know. Of course the great idea is that City officials are too highly paid, and I think that is not so always.

7291. (*Mr. Crawford.*) I sympathise with you.

7292. (*Lord Farrer.*) That idea does not apply to the Educational Establishments of the City?—No, I am afraid it does not, my lord.

7293. (*Mr. Smith.*) I noted the exception?—We have a staff of three assistant masters, and we also have three mistresses.

7294. (*Chairman.*) You are the head of both sides?—I am the head of the school, but the mistress has control of the teaching on her side of the building.

7295. (*Mr. Crawford.*) I see that, since 1850, 162,422*l.* has been granted by the Corporation in connection with this school?—Yes, sir.

7296. And I think in recent years—the last two years—there has been a considerable cash expenditure in connection with sanitary works, has there not?—There has, and not only in connection with sanitary works, but also in connection with the introduction of technical education. We have lately started a carpenters' shop, and we also have a brass band there; so that the children, in addition to having a musical education, may be able, if necessary, to earn their living by carpentering.

7297. So that you are quite up to date?—Quite up to date; and if the County Council have any surplus money to spend upon technical education, we shall be most happy to receive it.

The witness withdrew.

Adjourned to to-morrow.

SEVENTEENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 19th January 1894.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.	MR. HENRY HOMEWOOD CRAWFORD.
MR. ROBERT DURNING HOLT.	MR. EDWARD OFFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

Sir C. Hall, K.C.M.G., Q.C., M.P.

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Sir CHARLES HALL, K.C.M.G., Q.C., M.P., Recorder of London, called in and examined.

7357. (*Chairman.*) How long have you been Recorder?—I was appointed in the early part of 1892.

7358. You are the first Recorder appointed since the Local Government Act of 1888?—Yes, that is so.

7359. That made a difference in the form of appointment, so far, at all events, as judicial action was concerned?—Yes.

7360. Will you tell us how the Recorder is now appointed?—The Recorder is elected by the Court of Aldermen, and they appoint him Recorder, but by the Local Government Act he is not able to exercise judicial functions within the City without the assent of the Crown; and it is, therefore, necessary that he should receive that assent before he exercises those powers. But so far as I can see, so far as being Recorder of London and acting as Recorder of London, irrespective of his judicial functions, he is appointed by the Court of Aldermen, and their appointment would be valid whether the assent of the Crown were given or not.

7361. If the Crown refused to confirm the appointment, so far as judicial functions were concerned, what would happen?—Well, it is very difficult to say. There would be a deadlock, I think, and I only trust the occasion may not arise. I had thought at one time what would happen—whether the Aldermen would insist upon their prerogative of still appointing a Recorder as their Recorder, and leave it to the Crown to appoint some one to exercise judicial functions within the City. But, as I say, I really have not considered what should be done, because I do not think the contingency likely to arise.

7362. All other Recorders are now appointed by the Crown?—They are appointed by the Crown—yes.

7363. And they are paid by the Corporations?—Paid by the Corporations, I believe, in every case.

7364. What are your functions apart from those which are judicial?—I will refer you to page 153 of the Blue Book. The Recorder is the senior law officer of the Corporation, and the representative of the Lord Mayor and Aldermen in their judicial capacity, and, as such presides over the Court of Hustings and Mayor's Court, the latter of which holds almost continuous sittings.

7365. Those are judicial functions?—Those latter are judicial functions. You will then find (it is

nearly at the bottom of the page), "To advise the "Court of Lord Mayor and Aldermen for their better "direction in administering law and justice." You will find here that the Recorder attends the meetings of the Court of Aldermen, and the committees of the Aldermen whenever he can, and he invariably attends when any point arises upon which his advice can be of any use. There is also a very important duty which has been acted upon, as to which there are instances in the proof before you, Mr. Courtney, as to the custom of the City of London. It is a privilege of the City which is very highly prized, and, if I may say so, I think it is a very important privilege, and a very useful privilege in the courts of law; because, when a question arises in a pending action, as to the custom of the City of London, the judge may refer the matter to the Recorder. That custom is not recorded arbitrarily by the Recorder, but what is done is this: the Recorder prepares a draft as to what is the custom of the City in respect to the matter in question; he then submits that draft to a Court of Aldermen; and if the Court of Aldermen and the Lord Mayor approve of the statement, they sign that statement, and then the Recorder states that that is the custom.

7366. (*Mr. Crawford.*) But he reads it as a rule, because it must be by word of mouth?—He reads it.

7367. It must be by word of mouth, as you will see by the charter?—Yes.

7368. By the charter?—By the charter. But in order to prevent the Recorder reading out the alleged custom merely out of his own mouth upon his mere *ipse dixit*, if I may say so, it is thought best that he should consider the matter with the Court of Aldermen, and that the custom should be signed by a majority of the Court of Aldermen before the Recorder states it to the Court. That has been done in many instances which you will find in the proof before you, coming up to quite recent years.

7369. (*Chairman.*) What was the latest?—The latest was in regard to Grant *v.* the Lord Mayor and Aldermen of London, in 1876. But many of the customs are well known, luckily, owing to this—because a record is made of them in writing; that is the reason, perhaps, why questions have not arisen since then. But of course they may arise, and very important questions of custom are raised in the courts. Of course, on an ordinary question of custom—for instance, the custom of warehousemen, that is testified to by evidence given on both sides by the parties, and then it is left to the judge or jury to decide; but when a judge thinks it necessary to have a custom stated authoritatively, especially in the case, for instance, of a Chancery judge sitting without a jury, he can refer the matter to the Recorder of London to state what the custom is.

7370. (*Lord Farrer.*) How does the Recorder form his opinion about a custom?—Well, I have never acted myself, but what I should do certainly is this:—I should first of all make inquiries. The matter would come before the Court of Aldermen in the first instance, and I should say: "I must ask you to give "me information, and let me have information from "people who are qualified to speak upon this matter" —experienced merchants if it be a mercantile question, and so on; and I should then endeavour to form my own opinion, first of all, as to what the custom was. If I was not satisfied that there was a custom I should so record at once; but if I thought there was strong evidence of a custom and that was established to me in my own mind, I should then submit a draft to the Lord Mayor and the Court of Aldermen to that effect, and if they approved of that and thought that an undoubted usage and custom existed, so I should return. But I see myself the very great importance that no statement as to a custom should be accepted unless the evidence is overwhelming as to the fact. In fact, I should act as a judge would direct a jury to act upon evidence of custom—they can only find a custom when the evidence is practically overwhelming, and there is no evidence to the contrary on the other side.

7371. (*Chairman.*) It begins with an allegation in the cause in which reference is made?—Yes—that so-and-so is the custom of the City of London.

7372. That gets referred to you?—Yes, probably. It is usually done by a writ of *certiorari*. You will find the instances on page 4 of the proof.

7373. I see that the last one referred to the custom of foreign attachment?—Yes. That was a *vexata questio;* it was a matter of very great importance, and it was alleged that it was exceedingly inconvenient to bankers—the process that was adopted, and it was resisted. As a matter of fact, foreign attachment has not been resorted to since then; though Lord Justice James, I think it was, in his judgment, pointed out that the decision was not that the right of foreign attachment did not exist, but that very great care must be taken to show that the custom was observed in its entirety or else the proceeding would be bad. In that case the officer who served the writ would stand in a very awkward position. The custom, as the Lord Justice pointed out, must be adhered to to the letter in order to give the right to act under a foreign attachment.

7374. (*Mr. Smith.*) I suppose such an ordinary custom as the custom of market overt the Court would take judicial cognizance of, would it not?—That has been always recognised, the custom of market overt in the City. It has never been disputed because it has been acted upon for so many centuries.

7375. It is almost part of the common law?—Almost part of the common law, and it is a very valuable custom, and a custom which is very much prized in the City of London.

7376. (*Mr. Crawford.*) But the customs which the Recorder for the time being records are principally customs of the Corporation?—Exactly.

7377. And the Corporation having existed for many centuries knows how ancient a custom is?—That is so.

7378. According to the wording of the Charter the moment the certificate of the Recorder is given to the Court by word of mouth, that is to be accepted?—That is so; that is clear.

7379. No question can arise upon it to be submitted to a jury according to the Charter?—No; it has always been held in the courts of law that the oral statement of the Recorder is binding. You cannot go behind the statement of the Recorder on a matter of custom.

7380. (*Lord Farrer.*) The only question that could arise was whether the custom was a good one at common law?—I do not think the courts would entertain that; they would treat a custom as a custom. An immoral custom could not be set up. No Recorder could set up an immoral custom. It could not be a custom at law, but so long as a custom was proved to exist the Court would recognize it, and would not discuss the question whether or not it was a custom good at law.

7381. (*Mr. Crawford.*) I have before me here a return of a certificate alleging a particular custom so far back as 1392?—1392.

7382. So that it appears to be a very ancient privilege?—Yes.

7383. (*Chairman.*) That was before the Charter.

7384. (*Lord Farrer.*) Was the whole custom of foreign attachment set out in the Recorder's statement of 1876? You were going to give the particulars, I think?—I have not got the particulars here. I have no doubt that the custom was set out at length for this reason, that Lord Justice James, in dealing with the question, pointed out that the custom was one that must be observed in all its terms. I presume he had the custom before him set out in full. I have not got that here. I daresay I could get it for the Commissioners.

7385. (*Mr. Crawford.*) *The London Joint Stock Bank* v. *The Mayor of London* was a great case. It was shown that certain forms had to be gone through with regard to foreign attachment, but the Lord Justice

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said, assuming you follow these forms strictly, there was nothing to interfere with the custom?—That is my reading of the report. I have not read it for the purposes of this Commission. But I may say this, I began my civil practice in the Lord Mayor's Court, which I was told by men of great experience and authority on the Bench was the best school for young men to go to to begin law on the civil side, and I therefore had cause to read *Cox* v. *The Mayor of London* very often. I have not read it for many years, but that is my recollection of the judgment.

7386. (*Chairman.*) You have read this book; you have seen the Blue Book?—Yes, I have. I have been through all the parts connected, or rather referring to my duties and to the Courts in which I sit.

7387. And so far as you have been able to discover the statements are accurate?—Yes; I believe the whole of the statements are accurate. I have got some supplementary statements which may be of use to the Commissioners. If you think it necessary, I have got the work of the Mayor's Court, brought down to the end of the last year, and it shows that the business is still increasing there. Perhaps I may mention this: when I first began to sit there as Recorder, no doubt there were a great many actions brought for sums under 10*l.* which could be perfectly well brought in the County Court. I thought that it was an injustice to the jurymen of the City of London that 12 jurymen should be summoned there to try cases under 10*l.* when they could be tried in the County Court; and, therefore, I did my best to discourage suitors proceeding in the Mayor's Court for such small amounts, and I gave notice that the Judges of the Mayor's Court would not certify for counsel in cases under 10*l.* as I thought the suitors could get their remedy in the County Court.

7388. In the City of London Court, that is?—City of London Court. But I shall ask the Commission to allow me presently to point out that although that, of course, avoids the necessity of instructing counsel, I have also had prepared, very shortly and concisely, by the learned Registrar of the Mayor's Court, a statement showing the comparative costs in the Mayor's Court and the County Court, and so far from it turning out that the Mayor's Court is an expensive court to suitors, you will find that the costs in the Mayor's Court are, in uncontested actions, considerably lower than those in the County Court. Not only are the costs lower, but there is another matter, which is also of some importance, and that is, that in the Mayor's Court we charge no fee for summonses that are taken out. If a summons is proceeded with and an order eventually results, then, of course, there is a fee upon that; but we do not charge any fee upon summonses. So that we give, I submit, justice cheaply, and as you will see from the statement in the book, very expeditiously.

7389. It is in the nature of an application for an order?—Yes, that is what it is.

7390. If an order is made, then of course, a fee becomes payable upon the order?—Yes.

7391. (*Mr. Smith.*) There is no plaint fee?—Yes, there is an original fee on the plaint; but what I am talking about are applications for orders in Chambers.

7392. (*Mr. Crawford.*) Assuming an application for particulars—notice is given for an order for particulars—unless the order is made, no fee becomes payable?—Yes. I do not, of course, wish to take anything out of order, but, perhaps, as I was on that point the Commissioners will allow me to state what the comparative cost is between the Mayor's Court and the County Court, as there have been statements made in the newspapers to the detriment of the Mayor's Court as to the costs there. Well, now, they have been worked out very carefully by the learned Registrar. And this fact appears:—A new scale of costs in the Mayor's Court came into operation on the 1st July 1890. As the Commissioners, no doubt are aware, all scales of court, all rules and orders in the Mayor's Court, have to be authorised and approved of by the Committee of Judges—the Rule Committee of the High Court,—and the new scale of costs was practically taken from the scale of costs in the County Court. Now, if you add the fees and the costs allowed, together, for issuing plaint and signing judgment by default, the results in nearly all cases are less in the Mayor's Court than the County Court. Now, for example, if you take the amount under 10*l.*—9*l.*; in the Mayor's Court the fees would be 4*s.*; in the County Court they would be 11*s.*; the costs in the Mayor's Court would be 11*s.* 6*d.*,—that is the only case in which the costs are higher in the Mayor's Court—in the County Court they would be 8*s.*; the total in the Mayor's Court would be 15*s.* 6*d.*, the total in the County Court would be 19*s.* Now, that is under 10*l.* Then if you take under 20*l.*—19*l.*; in the Mayor's Court the fees would be 4*s.* 6*d.*; in the County Court they would be a guinea. If you take the fees and the costs together, you will find that in the Mayor's Court the fees and costs are 1*l.* 5*s.* 8*d.*; in the County Court they are 1*l.* 19*s.* 2*d.* If you take over 20*l.*, you will find that the fees and the costs in the Mayor's Court are 1*l.* 18*s.* 10*d.*, in the County Court they are 2*l.* 12*s.* 6*d.* Now, that is before judgment signed. Well, now, if you add together the costs and fees in each case of signing judgment, the suitor in the Mayor's Court has a still greater advantage—as you will see. Under 9*l.* the costs and fees, up to judgment, come to a total of 1*l.* 4*s.* 8*d.*; in the County Court they come to 1*l.* 11*s.* 4*d.* Over 10*l.* and under 20*l.* the Mayor's Court, 1*l.* 19*s.* 2*d.*, and the County Court 3*l.* 1*s.* 6*d.*; over 20*l.*, in the Mayor's Court it is 2*l.* 17*s.* 10*d.*, in the County Court it is 3*l.* 15*s.* 10*d.* So that there is a very large difference in the actual costs incurred by suitors in the Mayor's Court as compared with the County Court.

7393. Is that compared with the Sheriffs' Court?—That is the County Court for the district.

7394. The Lord Mayor's Court is a cheaper court than the County Court?—It is a much cheaper court in cases which do not go for trial; and I may point out, as you are aware, a great majority of causes are never placed for trial at all; so that we prevent suitors going to great expense in cases under 20*l.* in which very likely they never get their money at all.

7395. (*Mr. Smith.*) In the City of London Court the fees are the same as the County Court?—That is so—the County Court scale. I should add that if you take cases contested to trial I do not think there is much difference between the two as far as I can hear and find out. There is this, and I think it is fair to point it out, at the Mayor's Court we have a privilege which is greatly prized; a privilege which is shared by Quarter Sessions, that is, that counsel have exclusive audience, except when a party appears in person. That certainly has this great advantage It enables the work to be done more speedily; there is less garrulity, and that saves the time of the Court; that is of comparatively little importance, but it distinctly saves the time of the jury, men of business, who are taken away from their work in the City. But I should point out that in contested actions in the County Court where the sum is over 10*l.* in a great majority of cases counsel are certified for as a matter of course.

7396. (*Chairman.*) Have counsel exclusive audience?—Yes, in the Mayor's Court; as they have at Quarter Sessions.

7397. Not universally?—At the only Quarter Sessions I had any experience of, counsel had exclusive audience; in the County and Borough Sessions I was in the habit of practising at. I cannot speak as to any others.

7398. At Quarter Sessions in Cornwall, counsel applied some years since for audience, and were told they would be welcome; they applied later for pre-audience and were refused, and then they retired again.

7399. (*Mr. Crawford.*) I presume that principally arose from the fact that there were so few of them that they were refused pre-audience?—There is no doubt of this, that the Court is very much better able

to do its work if counsel do represent suitors that come before it; and, after all, the majority of cases in the Mayor's Court are cases more or less of a commercial character. I may say this; I do not want to puff up the Mayor's Court as compared with any other court, but I believe we have a much larger number of commercial cases in comparison than the ordinary courts of law; we have much fewer actions of tort, libel, false imprisonment, and so on.

7400. (*Chairman.*) But actually causes arising out of contracts?—Arising out of contracts in the City.

7401. (*Mr. Crawford.*) And for large amounts?—Yes, large amounts.

7402. (*Chairman.*) The jurisdiction is unlimited?—The jurisdiction is unlimited where the cause of action has arisen entirely within the City.

7403. (*Mr. Crawford.*) Suitors have the advantage of a jury of 12, and, if necessary, a special jury?—Yes, with regard to juries, I hope I am not giving evidence beyond what the Commissioners require, but I should like to say this; it appears in the book, and I should like to emphasise it; one cannot speak too strongly of the City juries that we get in the Mayor's Court. They are first-rate juries. I have been on Circuit a great many years. I have seen a good many juries, not only on my own Circuit, but when I was younger. I had the great advantage of going as Marshal on the two great Circuits, in those days, the Northern Circuit and the Midland Circuit. I have seen something of juries, and I do not hesitate to say that the juries in the City of London are far better than elsewhere.

7404. (*Chairman.*) No alteration in the system of of Local Government would affect the quality of the mercantile men in London?—I should think not. I am not such a pessimist as to suppose that.

7405. (*Mr. Smith.*) Amalgamation does not necessarily have that effect?—No.

7406. (*Lord Farrer.*) Nor would it necessarily interfere with the Lord Mayor's Court?—No.

7407. (*Chairman.*) The City of London Court is a lucrative court to the Corporation?—That I cannot speak of; I have not looked at the table of fees. I should think it was, because an enormous amount of business is got through there, uncontested business. Very many cases where there is no trial at all, and where fees have to be paid.

7408. There is a balance to the good?—I cannot say, I really do not know; but I should think a very large balance to the good.

7409. I suppose that is not the case with the Mayor's Court?—Well, with respect to the Mayor's Court, I do not know, the fees are set out here; I should think there was. I really have not looked into them. If you come to the cost of the Chambers and the salaries of the judges, I do not know that it is a profitable court.

7410. (*Mr. Crawford.*) I think it is beginning to get better now, but it did fall off?—It fell off; the business is increasing in it because we have been able to get through it a good deal quicker. Since the present Common Serjeant was appointed we have been able to get through the business in the Central Criminal Court quicker, and I mention that for this reason: we have a court, as you are no doubt aware, every month in the Mayor's Court and in order to insure the Mayor's Court cases being tried, as I consider they ought to be, by the Recorder or by the Common Serjeant, I fix the sittings of the Mayor's Court so as to be a continuance, as it were, of the Central Criminal Court. I allow a time that I consider an average of time for the Old Bailey calendar to be tried out, and, as I have said we have been able to get through the work of the Old Bailey in a shorter time than formerly, owing in a great degree, to the great experience of the Common Serjeant who practised in and was a leader of that court. I then fix the Mayor's Court sittings to commence as soon as possible after the time occupied with the disposal of the Old Bailey calendar, and only on two occasions am I unable to do this, and that is before Easter and Whitsuntide, for we cannot have the Court sitting on Good Friday or Easter or Whit Monday. I have arranged that we should try the Lord Mayor's Court cases ourselves as much as possible. I mention that because of late years the Recorder and Common Serjeant, who no doubt had business else-where, were not able to sit so often, and the work devolved to a great extent upon the Assistant Judge, and I think it right to point that out, because it does not appear in that book. Up to the time the present Common Serjeant was appointed the Assistant Judge sat a great number of times. In fact, for several years he sat more days than the late Recorder and the late Common Serjeant together. We are able to do the principal part of the work, and we have the services of the Assistant Judge at Debtors' Summons Courts and in Chambers. He also sits in the Mayor's Court in the absence of the Common Serjeant and myself.

7411. If you turn to page 90 it gives you the fees; it shows a falling off in several years, but they are coming up again. For 1889 the fees were 7,955*l.*, in 1890 they fell down to 6,909*l.*, in 1891 to 6,854*l.*, and in 1892 to 6,482*l.* Then if you compare the fees received between the 1st January 1892 and the 30th of June 1892 and those received between the 1st January 1893 and the 30th June 1893 you will find that really they have increased?—Yes, that is so, although I have done my best to discourage these petty actions under 10*l.*, which of course means a considerable loss of fees to the Court if we tried these out. I am glad to say that substantial cases are taking their place, so that we have as long a list as we had before, and the place of these small cases is being taken by commercial cases, and, as far as I can see, the work of the Mayor's Court is certainly improving in character to a very considerable extent.

7412. (*Lord Farrer.*) Where do you sit?—I always sit in the Guildhall, for the Mayor's Court. When the Queen's Bench Judges go into the City for the London sittings—they are only there for a few days—I have to hold the Court in a small court—the South Court—when the Judges are not there I sit in the North Court or in the Council Chamber, which is a fine court, but it is very cold in the winter, and owing to serious illness I have not been able to sit there lately, but we have always a court to sit in.

7413. Will cases be tried in your court now which would otherwise have been tried in the Law Courts?—I think so. We have now more questions connected with freight, and connected with shipping, which is, perhaps, owing to the fact that I had a very considerable practice in the Court of Admiralty.

7414. Have you Admiralty jurisdiction?—No; but I try a common law case, whether arising in the Thames, or in the streets of London. I have not sat yet with assessors, but the parties can, of course, agree to my doing so, and they have asked me. Yes, I have sat with assessors once; but I took good care to get the assent of the parties, and I understand that the Trinity House are prepared to give facilities to allow the Elder Brethren of the Trinity House to sit.

7415. With reference to the constitution of the Court, although it is called the Lord Mayor's Court, the position of the Lord Mayor and Aldermen as judges is merely nominal?—That is so.

7416. You are just as much a judge in the Mayor's Court as a judge of the Supreme Court is the judge in his court?—Yes, and in the Old Bailey too.

7417. Is much of your time taken up in advising the Corporation, which is, of course, somewhat different from the judicial functions you have to discharge?—Yes, there are a good many cases where a point may arise as to the construction of Acts of Parliament dealing, for instance, with markets in the City, or dealing with water, any question of that sort; they are always submitted to the law officers; but with regard to the opinions and appeals from the decisions of the justices those are appeals to quarter sessions. I sit there as a member of the Court and not as the Recorder of London only.

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7418. I am asking about advice given?—Yes, I have to give considerable advice.

7419. Is that in the form of a case sent to you?—It is either in the form of a case, when it is felt that the matter is so important that it should be referred to the law officers to advise, or very often my opinion is asked in the Court of Aldermen, and if they are satisfied with what I say it is not necessary to observe any formalities in the matter.

7420. Without putting it on paper?—Without putting it on paper.

7421. You advise in two ways—sometimes to the Court of Aldermen and sometimes to the Court of Common Council, and generally, I presume, through our colleague at the end of the table, the City Solicitor, Mr. Crawford?—Entirely through the solicitor, Mr. Crawford, when he is instructed to draw up the case on behalf of the Lord Mayor and the Corporation. Beyond what you asked me, beyond the ordinary case of quarter sessions, there are cases in which evidence is given and they are cases where legal assistance is of very great importance. I refer to appeals from the Police Commissioner to the Court of Common Council under one of the Police Acts.

7422. (*Mr. Crawford.*) Appeals in connexion with pensions to police constables?—Under the last Act.

7423. (*Lord Farrer.*) Is that under the Act of 1890?

7424. (*Mr. Crawford.*) No, under our own City Act (1889).—A policeman had been deprived of his pension owing to his misconduct, and he appealed. This appeal is a somewhat cumbrous way of doing it, as he is heard by the whole of the Court of Common Council. It is very desirable that in such cases there should be someone there to keep order and examine the witnesses, and so on, from the bench as it were. I have only tried one of these yet.

7425. That is similar to an appeal from the Licensing Committee of the London County Council?—Yes, so far as I can judge.

7426. I mean to say that there is nothing very singular about it?—No.

7427. (*Mr. Smith.*) And of course an appeal of a constable in connection with a pension made by the Watch Committee in a large town since the passing of the Act of 1890, would be heard very much in the same manner, so that you arrive at the same result?—The same result.

7428. (*Mr. Crawford.*) It is rather to the advantage of the police constable that he gets the sympathy of some members of the Common Council.

7429. (*Lord Farrer.*) I suppose in a case of that kind, the Court of Common Council take your opinion?—I have only heard one of these cases, and after hearing the evidence all I did was to sum up to the Court.

7430. (*Mr. Crawford.*) In the case you are referring to of an appeal of a police constable, the matter was thoroughly threshed out as if it were a trial?—The City Solicitor is there and the proceedings are carried on just as if it were tried in Court, and then I sum up to the Court of Common Council.

7431. (*Chairman.*) And they gave a multitudinous vote?—They do; they gave practically a unanimous vote in that case.

7432. (*Lord Farrer.*) When I asked you what other sort of business you had to do I was thinking of advice; the same advice that counsel gives to his client—you act in that capacity?—Yes.

7433. (*Mr. Crawford.*) And also in committees too?—And also in committees.

7434. (*Lord Farrer.*) They refer a point to you?—A very common thing is this. Some matter may arise and the question may be asked, is there any section in the Act of Parliament which prohibits a certain course of action being taken? Some may like to hear the Recorder on this. Then I tell them my view by word of mouth, if it is a case not raising any difficulty; but if it is a case of the construction of several Acts of Parliament I do not care to give an opinion off hand in that way. It is referred to me, and I advise in conjunction with the law officers of the Corporation.

7435. Which is part of your duty as Recorder?—Oh, yes; that is all in my duties as Recorder. I have no fees at all.

7436. I suppose if you go into Court for the Corporation you would have a fee?—Well, I suppose I should.

7437. (*Mr. Crawford.*) Indeed, no, I am sorry to say not?—I may say this with regard to that. I also sit—I am engaged now—trying a very heavy compensation case: I try compensation cases under Michael Angelo Taylor's Act; and I have assumed that my salary, which was increased and which is a very handsome and proper salary, covers those duties. I made no inquiry as to whether I was to have a fee or not, I do the work as Recorder.

7438. If you look at the Report regulating your salary you will see that your salary covers all your duties?—I have never asked for a fee and I never intend to for such duties, but where is that?

7439. You will find it in the duties which were settled before the appointment?—What page?

7440. In page 153—that enumerates your duties—or rather page 155, paragraph 13:—"To peruse and "settle all Corporation Bye-laws or Bills of Common "Council, and other important legal or official docu- "ments, and, without fee, to give advice to the "Corporation, or to any of its Committees or officers, "on matters relating to the City's interests, whenever "he may be required; and, when so ordered, to "appear before any tribunal as an advocate for the "Corporation, but not in other respects to practise "at the Bar"?—I cannot agree that your last paragraph says anything about fees when I appear as an advocate.

7441. (*Chairman.*) The same wording appears to go with all?—I really have not noticed.

7442. (*Mr. Smith.*) It is one of the matters that would be referred to the Recorder?—I need not say what the answer of the Recorder will be.

7443. (*Chairman.*) Now your association with the City seems to have impressed you with the excellent quality of the persons with whom you are associated?—Yes, I have been very much struck with the experience of the Aldermen as men of business, and I have found, and learned judges have told me the same thing—I could quote the names of very eminent judges on the bench who have had great experience of criminal matters—and they have told me that they have found, as I have found, really considerable assistance from the fact that Aldermen sit on the bench at the Old Bailey. We have so many cases to try in connection with banking and commercial matters and in regard to the system of keeping books. I may give as an illustration what happened the other day, where a man destroyed his books, and his defence was that he had done so because they were getting so numerous and so cumbersome that he really had not got space for them. Well, upon all matters like that one is able to get someone sitting beside him who can give one practical information on the point, although on a question of the destruction of books I must say I should scarcely require the advice of anybody as to the opinion I should form upon the matter.

7444. (*Mr. Crawford.*) The Aldermen form part of the court at the Central Criminal Court?—Yes, they form part of the Court; they are obliged to be there.

7445. And the Lord Mayor opens the Court, does he not?—The Lord Mayor opens the sessions always.

7446. (*Lord Farrer.*) And there must be two Aldermen sitting?—There must be one Alderman in attendance and there must be a court of two commissioners; but it is not necessary that there should be two Aldermen sitting besides the judge. That point was raised in the celebrated case of Madame Rachel, and it was held there that if an Alderman was within the building that was all that was necessary.

7447. (*Mr. Crawford.*) It is not necessarily two magisterial authorities?—A judge and one Alderman

were sitting, and if the judge sits rather late an Alderman must remain with him. I sat rather late last Saturday night to finish a case, and an Alderman stayed with me to form a quorum.

7448. (*Chairman.*) You make some observations here about the City Police?—Yes, that of course is a matter I do not profess to have much knowledge of; I do not wish to go beyond this. In the City we have a great admiration for the way in which the police do their duties, and they have very important duties; the amount of property they have to watch and take care of is enormous, and it is admirably done; and certainly the class of constable that come before me to give evidence shows that they are a remarkably good body of men.

7449. Do you venture the opinion that they are on the average better than the Metropolitan Police?—Well, one knows the proverb upon comparisons. I certainly think on the whole they are better.

7450. (*Mr. Smith.*) There is not much practical management of the police on the part of the Corporation, is there?—It is done principally by their officers.

7451. (*Lord Farrer.*) By the Commissioner?—I should say almost entirely, as far as I know.

7452. You do not know whether the pay happens to be any better than that of the Metropolitan Police?—I cannot say as to that; I do not know.

7453. (*Chairman.*) I observe that you make an observation on the City's hospitality?—A very short observation. I think it is a valuable thing. I think it is very important that distinguished foreigners visiting these shores should have a reception by somebody, and I do not know who is to take the place the City fills at present, or what is proposed?

7454. It would be rather a waste of the City's cash if it were altogether unavailable for that purpose?—Yes, not wasteful; it would be wasted.

7455. Wasted?—Yes.

7456. Arrangements might possibly be made for preserving some of these valuable things in the event of any change?—Oh, of course, I see that, but in giving my evidence, my mind is a blank as to what would be provided to take its place.

7457. (*Lord Farrer.*) That is an important point?—It is an important thing to bear in mind.

7458. (*Mr. Crawford.*) I should like to ask you, Sir Charles, having regard to your experience as a member of Parliament, and one who has taken an interest in London Government, whether you can suggest to the Royal Commissioners any convenient practicability of an amalgamation between the Corporation and the London County Council?—No, I cannot; I do not at present, there being no scheme before me. I do not see what convenience is to arise.

7459. Do you see any advantage in the difference in the mode of election of an Alderman, by direct representation and in that of selection by a large body?—Yes, certainly. I think the way in which an Alderman is elected, is a very strong guarantee that you will have men with very considerable experience, and men, if I may say so, who have been through the fire several times before eventually they exercise their functions. Because an Alderman is not elected right off the reel, he has to go through various processes before he becomes an Alderman; and an Alderman does not rise to the position which he attains until the Livery of the City of London and his fellows in the City are able to judge of his capacities, and have come to the opinion that he is fit to represent them.

7460. An Alderman is, of course, oftentimes in direct communication with his constituents?—Yes, oh, yes; he is one of them, and he knows what the requirements are—what is necessary in the City, and what is desirable in the City.

7461. (*Chairman.*) He is entirely independent of them after he is elected?—Oh, yes. That, to my mind, is a very important fact; he has learned his experience, and he knows exactly what is wanted.

7462. (*Lord Farrer.*) Do you think it is an advantage that he should be independent of his constituents?—Well, I think, as a member of Parliament, it is an advantage that anybody should be independent of his constituents. Perhaps I may say that, because, happily, I represent a constituency who are kind enough to place me in the position of being almost absolutely independent; but I have been a member of Parliament before, and I did not enjoy such advantages.

7463. (*Mr. Crawford.*) Although independent of his constituents he is not independent of his brethren of the Court of Aldermen, is he?—No, the Court of Aldermen have the power and do sometimes exercise it, although, I am happy to say, such occasions are very rare of dealing with an Alderman. If there is any reason why an Alderman should not exercise his functions the Court of Aldermen have the power practically to relieve him of those functions, and they do.

7464. (*Mr. Smith.*) I suppose, Sir Charles, you would not at all quarrel with the election of Aldermen under the Municipal Corporations Act, whereby the Aldermen are elected by the whole body of the Council?—Well, I should be sorry to give an opinion as to that. I have not considered that.

7465. (*Chairman.*) Are not the two cases entirely different. Perhaps the chief function of an Alderman in the City of London, besides being part of the Corporation, is to act as a magistrate?—Yes.

7466. The Aldermen of an ordinary municipal corporation are not magistrates?—No, that is so.

7467. Had we not better keep those two branches of work entirely distinct. Considering the Aldermen as magistrates, do you consider that they are appointed in the best way by being appointed by the electors of a ward, or would equally good men be secured if they were appointed by the Lord Chancellor from amongst merchants in the City?—That would depend upon the fact whether or not the Lord Chancellor—I will answer the question on the assumption you put it—whether the Lord Chancellor in selecting such gentlemen would select them from amongst the leading merchants of the City. To my mind it is of importance that they should be representative men who have the respect of their fellow-citizens, and they show that, and the proof of that is that they had become Aldermen. They go through the necessary steps before they become Aldermen, and they do not become Aldermen until they have shown their fellow-citizens that they are fit to be entrusted with such work.

7468. Would you be prepared to extend the same system to other municipalities?—No, I do not say that I am. I take it as an institution that works well in practice. I do not look at it in the abstract at all. What I find is this, that the magisterial work at the Mansion House and the Guildhall is done admirably. I do not like to compare that with other work, but it cannot be better done.

7469. (*Mr. Smith.*) Might this not be the reason? that in the City of London the cases that come before the magistrates, both at the Mansion House and the Guildhall, are principally of a commercial character?—Yes, they are commercial principally, that is so.

7470. And there are more of such cases in the City, and one or two other large centres such as Manchester, Liverpool, and Birmingham, than in an ordinary borough?—Yes, that is so, no doubt; every important bank case, every important case of embezzlement, and cases like that are more frequent certainly in the City of London than they are in any ordinary borough.

7471. (*Chairman.*) The City of Manchester?—No, when I talk of a big city I talk of Manchester, Liverpool, Birmingham, or any large city, but they do not deal with 100 prisoners in all, assize cases, a month, and that is the average criminal calendar at the Central Court. With regard to Liverpool the assizes are now held four times a year, but my recollection of the calendar at Liverpool when there were only two Criminal Assizes a year, was that it was thought

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a long and heavy calendar if there were 100 prisoners, and there the assizes are general gaol deliveries, so that a good many of these cases were cases that might have been tried not at the Assizes but at Quarter Sessions, whereas at the Old Bailey they are all really heavy cases, Assize cases.

7472. Putting aside the judicial functions of the Aldermen, do you conceive that the municipal functions of Aldermen as discharged by the Court of Common Council are better and more satisfactorily performed under the present method of election of Aldermen than would be secured if the ordinary method was adopted?—Yes, I do, because I think you have got the men who assist the Common Council, also the Common Councillors who sit are experienced. Look at the way by which they have worked their way up to the Aldermanic Chair. I think their experience gives them a position which certainly is very valuable in a Court of Common Council.

7473. But the ordinary process is for a person to be approved of as a member of the Council?—Yes.

7474. And then as *emeritus* he gets to the Aldermanic Chair?—Yes, still I think I ought to preface any observations I make on this point with this remark, that I really know very little about Local Government. I am not prepared therefore to say much about it.

7475. (*Mr. Smith.*) My question had reference very much, Sir Charles, to the discharge of municipal functions apart from the judicial, and I was only going to put it to you that it was rather an advantage that a man should not only have the approval of his fellow citizens, but also of his colleagues, as illustrated by the election under the Municipal Act?—Yes.

7476. You have a double advantage. I do not know any case since the Corporation of Birmingham elected their Aldermen, in which a man was elected who had not served many years as Councillor, securing in that way first of all the approval of his fellow citizens in returning him frequently, and secondly, the approval of his colleagues in electing him an Alderman?—Yes.

7477. (*Mr. Crawford.*) The Court of Aldermen has a veto, therefore he gets the approval of his constituents, and is bound to get the approval of the Court of Aldermen?—Yes.

7478. (*Mr. Smith.*) Except in a very strong case that veto would never be exercised.

7479. (*Mr. Crawford.*) For very good reasons?—It has been exercised.

7480. (*Mr. Smith.*) It would not be exercised if a man were not particularly competent, but otherwise bore a good character.

7481. (*Mr. Crawford.*) If a man were incompetent to discharge judicial functions, they would not be likely to add him to the number of Aldermen.

7482. (*Mr. Smith.*) I was asking with regard to the municipal functions, which I regard as much more important in this matter.

7483. (*Mr. Holt.*) The Recorder spoke of the importance of having mercantile and banking gentlemen upon the Court of Aldermen to act in a judicial capacity in trying commercial cases?—Yes.

7484. Do we understand that you have in the Court of Aldermen leading bankers and leading merchants of the City of London?—There is a banker of very high position indeed in the City of London now, he sat next to me when I was trying a case the other day, Mr. Alderman Dimsdale.

7485. (*Mr. Crawford.*) From whom you derived assistance?—From whom I derived assistance.

7486. (*Mr. Holt.*) Do you think merchants and bankers are fully or well represented in the Court of Aldermen?—I do not like to use the word fully without saying what should be the ground of representation; I think they are fairly represented.

7487. The leading merchants and bankers?—Yes. I do not say necessarily all the leading financial houses, or even all the merchants in the City are represented.

7488. Merchants?—Yes, I think so, so far as I know.

7489. (*Mr. Crawford.*) At all events, taking the case which has been cited, namely, Alderman Dimsdale. There was a recent contest, was there not, for the position of Sheriff of London, and Mr. Alderman Dimsdale was largely supported by the bankers and merchants who came to vote for him?—That was so; no doubt there was a very strong muster of the best men in the City of London, if I may say so, who came to the Guildhall on the occasion of the election.

7490. (*Chairman.*) Is there any Alderman on the Court of the Bank of England?—I think not

7491. Has there been lately?—No, not that I am aware of.

7492. (*Mr. Crawford.*) We have been told lately that there are not many bankers on the Court of Governors of the Bank of England?

7492A. (*Chairman.*) That was not the question; the question was whether any directors of the Bank of England was upon the Court of Aldermen?—No, I think not.

7493. There was a member of the Court of Governors of the Bank of England, an Alderman, but he retired owing to not being able to give sufficient time.

The witness withdrew.

Sir F. Fulton, Q.C.

Sir Forrest Fulton, Q.C., Common Serjeant of the City of London, called in and examined.

7494. (*Chairman.*) You are the Common Serjeant?—Yes.

7495. How long have you been so?—I was appointed in August 1892.

7496. You were appointed under the new system?—Yes, I am the first Common Serjeant appointed under the Local Government Act, that is to say, I was appointed directly by the Crown.

7497. You had had long experience before at the Bar?—Yes, particularly in the administration of the criminal law; I was Treasury Counsel at the Middlesex Sessions for some years, and then I was Senior Counsel for the Post Office at the Central Criminal Court. Ultimately I succeeded Mr. Poland as Senior Counsel to the Treasury at the same Court.

7498. And you are well acquainted with the administration of justice within the City?—Yes, I practised very largely at the Police Courts of the Metropolis, including of course, the Mansion House and Guildhall Justice Rooms. I should like to say, supplementing what has been already said by Mr. Recorder, that I think it should not be lost sight of that at the Mansion House the Lord Mayor presides every day. I am speaking now of the rule: in his absence the Chair is taken by one of the Aldermen who have passed the Chair. It is very seldom that an Alderman who has not passed the Chair sits at the Mansion House.* The result is, that as it takes ten years on an average, at least, for an Alderman to become Lord Mayor, that ensures at the Court a very experienced magistrate.

7499. And at the Guildhall, does a man sit as a magistrate as soon as he gets an Alderman's gown?—He sits at once.

7500. (*Mr. Crawford.*) As a rule—interrupting you—though an Alderman sits at once, I think that in practice he generally sits with another Alderman for some few months, in order to gain experience?—Oh, quite so; he sits at once because he is placed upon the rota, but an Alderman who is immediately appointed, if he has not had experience as a Justice of the Peace, which some of them have had, would be assisted for some little time by one of his brethren of the Court of Aldermen; and, of course, there are

* *See also* Douglas, 7634–5.

very experienced clerks who assist there, who probably have a larger acquaintance with the practice at the Mansion House and Guildhall Justice Rooms than anyone else.

7501. (*Chairman.*) Is it a usual thing for two Aldermen to sit at the Guildhall?—No, not when an Alderman has had the necessary experience, he generally sits alone. With regard to the Central Criminal Court I notice in the evidence given before you that the presence of the Aldermen at the Central Criminal Court is referred to. For my own part I think it of the greatest possible importance that they shall continue to attend, because they acquire there almost an unique experience. There must always be a certain number of the Aldermen present at the Central Criminal Court, there is a regular rota; two or three of the Aldermen are in one or the other of the courts and in that way they acquire a very considerable knowledge and experience of the administration of the criminal law, not only by the Recorder and Common Serjeant but by Her Majesty's judges, of whom one always attends, and when there is a heavy calendar two. That is, as far as I know, an advantage which very few magistrates in the country have—an advantage and special opportunity of acquiring practical experience. I must also say that I have found very considerable assistance from the Aldermen from time to time in commercial matters. For instance, I tried a case two or three sessions ago—a very heavy case. It was sent from the Guildhall Justice Room—a charge of forgery in connection with bills of exchange—a highly complicated case—which took me eight days to try, very long days. During that time, I received immense assistance both from Mr. Alderman Dimsdale, a banker, Mr. Alderman Vaughan Morgan, who is an exceedingly experienced commercial man, and also Mr. Alderman Ritchie (brother to the late President of the Local Government Board), who is a merchant of the City of very high position.

7502. I see you are prepared to institute a comparison between the election of Aldermen in the City and Aldermen in the County Council?—Yes, I think myself that the system of election of Aldermen directly is in the first place more democratic, and I may say that, as a member of the House of Commons at the time that this Local Government Bill was passing through the House, that seemed to be the general opinion. I was referring to Hansard, and I think it will be found that that was the general opinion, and also the opinion of the late Mr. Firth, who opposed the method of electing Aldermen which was ultimately adopted by Mr. Ritchie, or rather which was imported by Mr. Ritchie into the Bill and adopted by the House. It seems to me that the City system is much more democratic, and also it does show that what certainly has been a considerable difficulty—at least, I think so, in connection with the election of Aldermen for the County Council, because when the Aldermen were selected——

7503. Before you go any further, are you not comparing two very different classes of persons? The Aldermen of the City are, amongst other things, magistrates?—Yes.

7504. The Aldermen of the County Council have no such functions?—No; they have no such functions.

7505. Are you prepared to uphold a system of elective magistrates?—I think myself that experience is always the best guide; and, as we have the experience of centuries of the method of administering justice in the City by elected Aldermen, and as far as I know, no complaint has ever been made of the administration of justice, either at the Guildhall Justice Room or at the Mansion House—I see no objection. In these days of microscopic criticism of the acts of every public man, if there was any reason to believe that the Aldermen, as magistrates, did not efficiently discharge their functions, some notice would have been taken of it. I have never heard any adverse criticism. On the contrary, I have over and over again heard Her Majesty's judges express their extreme satisfaction at the admirable way in which cases are sent from those Courts, and compare them most favourably with the way in which they are sent from other Courts. I have never heard any adverse comment of the way in which justice is administered by the Aldermen, and from that I would argue that the system has worked very well in practice.

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7506. Would that very favourable experience encourage you to suggest the election of Aldermen for parishes outside the City?—No. For this reason: there would be no analogy between the electorate in the City and outside it. In the City—speaking of the City one loses sight of this fact, that the City is strictly commercial—the resident population is very small. If you take any other district—take, for instance, such a district as Poplar or West Ham, which is just outside the County of London, the electorate is entirely different. I do not think it would be at all wise to trust the election of magistrates to a purely popular constituency like Poplar or Limehouse.

7507. Take one nearer to the centre of affairs—take the Strand district. Would there be a very considerable difference between those inhabiting half-a-mile west of Temple Bar and east?—Yes; because there is a much larger resident population.

7508. Between Farringdon-Without and the Strand?—Yes; because there is a much larger resident population. You must remember you could not pick and choose. You must either make it general or limit it to the City.

7509. Does not that depend upon where you are going to extend the City to—whether it is to go into the wilds of Poplar or only into Bloomsbury?—I should not extend largely, because I think it discharges its duties admirably as it is.

7510. (*Mr. Crawford.*) I see you refer to Mr. Firth. I notice in an extract from Hansard that Mr. Firth informed the House of Commons that the first point he desired to make was that "to give the "County Council Aldermen by a system of triennial "election is a retrograde policy"?—Yes, I remember distinctly his saying so myself; he expressed a preference for the mode of election adopted by the City.

7511. (*Mr. Smith.*) I think you can hardly claim Mr. Firth or the democratic principle in aid anyhow. Now you tell us you are only in favour of electing magistrates where the population is non-resident. That is rather a conflict, is not it?—No, I do not think it is, because I am asked whether I should be prepared to extend it. I say no, I think it is only in a peculiar constituency, such as the City of London is, that the election of magistrates would be either necessary or desirable.

7512. It is of a select rather than a democratic character?—Exactly. I do not object to that description at all.

7513. I think then you must leave out the democratic part of your argument?—No, the principle remains democratic.

7514. The principle, but the accident of circumstances renders it oligarchic?—Well, not oligarchic; because an oligarchy means a Goverment by a small number; the number is not small.

7515. (*Chairman.*) Difference of circumstances. Is not the older part of Southwark now very much like in the character of its population what the resident inhabitants of the City was 80 years ago?—Yes, I should think that it was.

7516. Aldermen were elected within the City 80 years ago?—Oh, yes.

7517. With as good results conformable to experience?—Yes, as far as I know.

7518. Why do you hesitate to apply the instance of Southwark?—I think I have already answered that question, if you could pick and choose, the case would be different. St. George's, Hanover Square, does not elect its magistrates, but I think it might safely do so.

7519. (*Lord Farrer.*) Or the Inns of Court?—Or the Inns of Court. I have no doubt they would return most admirable magistrates; but when you

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extend a principle you want to know is the constituency peculiarly fitted for the experiment.

7520. (*Mr. Smith.*) Democracy tempered by selection?—Yes, wise selection.

7521. (*Mr. Crawford.*) But I think the late Mr. Firth, when dealing with it from a municipal point of view, expressed his preference for direct election rather than selection, and he instanced the City, where Aldermen are really directly connected with their wards—in fact, he described them as Chairmen of wards?—Yes, he did; and I think he was rather referring to the general municipal functions of an Alderman rather than to the judicial functions to which I understand Mr. Courtney is directing my special attention. I was going to say that one of the great objections to the selection of Aldermen by the Council itself, as appears to many people in connection with the County Council, is that, as large bodies such as this tend to become political, they are inclined to select the Aldermen entirely from the majority composing the Council, with the result that, as only half of them retire every three years, they can practically keep themselves permanently in power. That seems to me to be a very great evil. So far as the City of London is concerned that is never possible, because the City knows no politics.

7522. (*Chairman.*) You are aware that only the elected councillors have a voice in the election of Aldermen in the County Council?—Yes, the County Council itself elects the Aldermen.

7523. Yes, but only the elected councillors—the Aldermen themselves have no voice in the County Council of London in the selection of Aldermen?—Oh, certainly not.

7524. Therefore they could not keep themselves permanently in power?—They would assist very much in doing so, because on all general questions they would have a vote.

7525. No, I mean if one elected body choose Aldermen to support their policy, and to give them larger majorities, then possibly that power would disappear if the elected body changed its character—if not disappear at the first election, then disappear at the second election?—Half of them would remain.

7526. At the first time half of them would remain; then half of them at the second election would have to go?

7527. (*Mr. Crawford.*) You would have to wait for three years?—You would have to wait for three years before you make any change at all.

7528. (*Chairman.*) In the ordinary municipal elections, it is possible to maintain a party permanently in power because the Aldermen themselves join in the election for filling up the vacancies?—Yes.

7529. But where the Aldermen do not join in the election for filling up the vacancies it could only keep the body adverse to the voice of the majority in power during one period?—Three years.

7530. (*Lord Farrer.*) Supposing that the majority of the London County Council were Tory on the next occasion, the Aldermen who have been elected on the Radical side would be powerless?—It depends upon what majority they had. Supposing they had a majority of one?

7531. They would remain for three years exercising whatever influence they had?—If they had a majority of one, an Alderman would turn the scale on all questions. I merely put one as one instance.

7532. (*Mr. Crawford.*) Your opinion is based upon the experience of the last five years?—Of course, I am only speaking of the County Council as it is. One would hope that it will not continue.

7533. (*Chairman.*) Have you a suggestion to make as to how Aldermen should be elected?—The City system is that Aldermen are elected directly.

7534. Yes, but if any change is going to be made?—I think if any change is going to be made, that the Aldermen ought to be elected directly, as they are in the City.

7535. For what period?—It depends on the body. If you are going to have, for the sake of argument, a huge municipality, you would no doubt have to limit the period of time. The question might be as to what that should be—my own opinion is that probably ten years would be the best time—such a time, at any rate, as would secure that the body should always have a number of most experienced Aldermen among them.

7536. (*Mr. Smith.*) You would not quarrel with the Municipal Corporations Act, which says six years, would you?—No.

7537. It has worked very well, I think?—No; I would not object to that at all. I merely mention ten as a number that occurred to me. But I would not object to six. When there is not direct election in Corporations consisting of opposite political parties—with frequently secret deliberations and cabals—there is a great temptation if they have the power of selecting from within their own body. I do not know how far it has been carried out in other large municipalities, but it certainly seems to be the system adopted in this County Council of London.

7538. (*Chairman.*) You highly approve of the way in which the Lord Mayor reaches his post?—Yes. First of all, he has to serve for many years as an Alderman. As such he has, first of all, as I say, been directly elected; it is not necessary that he should have been a member of the Court of Common Council; some are, some are not; and he must have been directly elected to the office of Sheriff by the Livery.

7539. (*Lord Farrer.*) What do you mean by "elected"?—That is one of the duties I have to discharge—to assist in elections in Common Hall. I believe that was the original function of the Common Serjeant many centuries ago. The Sheriff is elected first of all by show of hands in the Common Hall.

7540. Is there any real election at all?—Oh, yes.

7541. Is it not a matter of routine?—Oh dear no, not at all. At the last hall at which I presided, there was a show of hands and a poll demanded, and Mr. Alderman Dimsdale was returned.

7542. I thought you were speaking of the Lord Mayor?—I was coming to the election of Lord Mayor. First of all he is, as Sheriff, elected by the Livery: then the Common Hall select two qualified members of the Court of Aldermen—that is to say, two Aldermen who have served the office of Sheriff, and from those two the Court of Aldermen elect one, and in that way they preserve what I think is a most important right of veto which has been exercised on more than one occasion within my own knowledge—a veto of great importance; they have the absolute right of electing one; and although the one who is elected may not have had the majority on show of hands, the Court of Aldermen have an absolute veto in the matter; and if there be any reason, if they think that a particular Alderman, although otherwise qualified, would not fill the office of Lord Mayor satisfactorily, they can act accordingly. I think that in any change that was made, it would be highly desirable that that power should be retained.

7543. (*Chairman.*) Has the Common Hall ever persistently refused to elect an Alderman Sheriff, who wanted to be Sheriff, in order to qualify to be Lord Mayor?—I have never known any instance of it. There may be one, but I do not know of any; certainly not since I have had anything to do with it.

7544. So far as the aldermanic candidates for the Shrievalty goes, it almost becomes a matter of routine?—Oh, sometimes both the Sheriffs are Aldermen. This year both the Sheriffs were Aldermen; last year both the Sheriffs were Aldermen.

7545. But you say it is a portion of the education through which a man goes to be a Lord Mayor, that after being elected Alderman he must be elected in the Common Hall as Sheriff?—I do not say the education.

7546. Well, the preparation—the experience?—Not so much experience. What I desired to direct attention to was that he obtained the approval of his fellow citizens; that is what I wished to lay stress upon.

7547. And there is no case within your knowledge in which he has failed to obtain that approval?—Well, I do not think there is any case in which he has actually failed to obtain the approval. There are several cases in which, as I have said, an Alderman may have had a majority on the show of hands, but has not been necessarily elected by the Court of Aldermen to the office of Lord Mayor. That is the converse of the case you were putting.

7548. That is a different point, too. You were saying it is a good thing that an Alderman should obtain election to the office of Sheriff at the hands of the Livery, and thus obtain the approval of his fellow-citizens?—That is so.

7549. You have never known a man fail to obtain that approval?—No, I have not.

7550. Now you have heard the Recorder's evidence with respect to the Mayor's Court?—Yes.

7551. You assent, and confirm it, as far as your experience goes?—I do. I think the character of the court has enormously improved of late years—especially the last two or three years. There were circumstances of a very peculiar character which tended to depress it. Of course, with regard to the amount of fees—to which reference was made by the Recorder—the amount of fees necessarily depends on the state of commercial prosperity. I might say that at the present time trade is not as brisk as one might desire, and the necessary result is a falling off in business of a commercial character. People will settle a case rather than bring it to trial. The Registrar has the exact figures; but I think the Mayor's Court is not only a self-supporting court—that is to say, not only pays its judges and its officers, but I think you will find, when you have the Registrar before you, that it has been a court which at one time was very profitable, and is likely to continue so, and I think you cannot compare it in any way with the City of London Court.

7552. Is there any reason why the two should not under all changes go on and exist side by side?—No, I do not know that there is, but my objection is to amalgamating it with the City of London Court. The Mayor's Court has unlimited jurisdiction, exclusive audience for counsel, and a jury of twelve. There is no analogy between the Lord Mayor's Court and an ordinary County Court: outside the City, it has jurisdiction up to 50*l.* The jurisdiction of the Lord Mayor's Court outside the City is up to 50*l.*, but within the City actions for 500*l.*, 600*l.*, and 1,000*l.* are constantly arising. I have tried many such cases myself. I do not see any reason myself why the Mayor's Court should not do all the litigious business of the City proper.

7553. (*Mr. Smith.*) Have not some of our great municipalities cases of County Courts sitting side by side with similar courts?—I am not sure whether there is one in Birmingham. There is the Court of Passage in Liverpool, and a similar Court in Salford and Manchester.

7554. (*Chairman.*) Perhaps it is unnecessary at present to consider a fusion between the two Courts?—We desire to lay stress upon this, because sometimes the jurisdiction and fees have been made the subject of attack. But the Recorder has cleared up that matter of costs. There is no ground for saying the fees are excessive, on the contrary.

7555. You were in the House of Commons when the Government of London Bill, or rather the County Council Bill, was passing through?—Yes; I was in the House of Commons from 1886 to 1892.

7556. Representing a Metropolitan district?—The northern division of the borough of West Ham, quasi-metropolitan; it is not within the county of London.

7557. The part of that Bill relating to London was not much discussed in the House?—It was not discussed at all. It was perhaps one of the most extraordinary instances of a quiet revolution being effected without discussion that ever occurred in the history of any country. I do not myself believe that more than one or two days were spent in discussing the part of the Bill relating to London: this was because it was understood that the rights, privileges, and immunities of the City were absolutely preserved.

7558. Was that the sole reason?—That was one of them.

7559. (*Lord Farrer.*) There are some elements of discord outside the City of London, are there not?—Yes, there are. But if the rights of the City had not been preserved, unquestionably those clauses would not have been passed *sub silentio*.

7560. You think there would have been a little more delay?—A great deal more delay. I go further, and say that the London Clauses would never have passed into law if the City had not been absolutely safeguarded in terms by Mr. Ritchie. In fact, he contemplated, I think, in his heart (and I have been very intimate with him for a quarter of a century) the settlement of the whole question of the Government of London in the original Bill and the District Councils Bill which he proposed afterwards to introduce. But the District Council Clauses of the original Bill were withdrawn on account of time. He intended to supplement it by a further Bill establishing District Councils, and amalgamating the Vestry and District Board areas, and in that way bringing about a settlement, and of course keeping faith with the City, that is to say, preserving them in the position which they now occupy, they only surrendering those outlying and comparatively minor powers which were taken away from them by the Local Government Act of 1888; therefore the City has an uncommonly strong reason to complain of the present action.

7561. (*Lord Farrer.*) Do you think that if the City had contemplated what has since happened, and the London County Council becoming what it has become, these clauses would have passed *sub silentio* as they did?—Certainly not. I do not think they would. If they had known that the very first act of the London County Council would have been to try and bring about the destruction of the City, I am quite sure that the clauses never would have passed *sub silentio:* indeed I am quite sure they never would have passed at all; the whole of the London clauses would have had to be withdrawn. It was only by the forbearance of metropolitan members and the members of the City that it was possible to pass the London clauses.

7562. (*Chairman.*) You are prepared to offer us some opinions as to the practicability of amalgamation?—Yes.

7563. The first apparently is this, that amalgamation means the extension of the Metropolitan Police into the City, and they are not to be trusted by the inhabitants of the City?—Well, the City is, of course, a very peculiar place. During the night it practically is not inhabited at all, except by a few caretakers. The consequence is, that having regard to the enormous amount of valuable property stored in the City, it is very desirable that there should be a force quickly and easily concentrated and easily commanded. The City Police are not like the police of any other municipality; they are not managed by a committee, they are under the absolute despotism (if I may use the expression) of the Commissioner of Police. The conditions are entirely different. The conditions of living in the rest of greater London are entirely different from those in the City; owing to the enormous value of land and the necessity of using up every square inch in the City, practically nobody lives there.

7564. Is it not, in the first place, an assumption that amalgamation necessarily means the extension of the Metropolitan Police into the City?—Well, it would be very difficult to see how you could continue to maintain the City Police as a separate police force if you add to the area and extend the City, because naturally the new Lord Mayor would require that the police jurisdiction should be coterminous with

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his enlarged jurisdiction. Now, it is coterminous with the jurisdiction of the Lord Mayor, which is an intelligible principle.

7565. You say the City Police depends for efficiency on the Commissioner?—Yes.

7566. He is the despotic head?—He is the despotic head.

7567. Could he be selected in any other way than he is at present?—He could be appointed by the Crown, by the Home Secretary, or by the larger municipality, if there were one. What I think is this, that you would not be able, logically, to advocate a continuance of the City Police as a separate force excepting under present conditions.

7568. I do not think we are very much afraid of logic?—I do not think practically it could be done either.

7569. (*Mr. Smith.*) You see, if the County Council of London were an ordinary municipal corporation your argument might apply. They would have a watch committee, which would have the control of the police. But there is a despotic head at present both outside and inside the City—a Commissioner appointed by the Home Secretary of the Government outside, and a Commissioner appointed inside by the City. But he is practically despotic inside the City?—Yes, that is so.

7570. There is no real conflict?—There never has been any conflict between the two police forces; both have acted in perfect harmony as far as my experience has gone. There never has been any practical difficulty, and there has been a long experience.

7571. (*Mr. Crawford.*) As a matter of fact, under a recent Act, it is possible to withdraw members of the Metropolitan Police and draft them into counties for the purpose of quelling a riot, whereas the City is exempted from that?—Yes.

7572. You cannot draft the City Police except to aid the Metropoliton Force in the care of the metropolis?—No.

7573. The principal reason being the unusual nature and character of the City?—Yes.

7574. (*Chairman.*) All that might be preserved; it is unnecessary that everything should be changed?—No, it is not necessary that everything should be changed; but I am afraid——

7575. (*Mr. Crawford.*) You are pointing out a main difficulty in your opinion?—That is what I think. The City Police force is so admirably adapted to the purpose for which it is used, having regard to the character of the area, that I think any change must be for the worse.

7576. (*Mr. Smith.*) There might be no change. If the future Commissioner saw the whole of the force was wanted, as you do, he would not remove from the City a force which was essential to the peace of the City?—It is not so much the peace of the City as the protection of the City.

7577. To compare large things with small, the position of the City of London to the rest of London is very like the centre of some of our largest towns in England compared with the suburbs, the centre is empty of all but caretakers practically at night?—Yes, I suppose that would be so.

7578. (*Mr. Crawford.*) What I take it you mean is this: assuming an amalgamated body, that amalgamated body would have to carry out the provisions of the City Police Act, whereas they would have no power to deal with the Metropolitan Police; therefore you would have the absolute anomaly of those who control the police of the existing smaller area, having no voice whatever in the police of the greater area?—I think that is so. I think more practical difficulties would arise, if the form of Government of London was entirely altered as some persons contemplate and desire. I think extreme difficulty would be found under new conditions; and I think it would not long survive. That is merely my own opinion. I merely express it as such.

7579. (*Chairman.*) Are not a good many of these difficulties like the difficulty of setting an egg to stand on its end?—No doubt eggs do sometimes turn over without standing up on end.

7580. You have some observations to make with respect to the City funds?—Yes, they would of course lose. The freemen of London would be prejudiced—must be so necessarily, because they have a prior claim in connexion with the election to City schools, City almshouses, and in some cases City offices. Nobody but a freeman is eligible for very many of the City offices.

7581. (*Lord Farrer.*) I do not quite understand about the offices?—Many of the offices under the Corporation must be filled by freemen of the City of London. It is one of the conditions precedent to his election.

7582. (*Mr. Smith.*) You are familiar with the report of 1835—the Commissioners of 1835?—Yes.

7583. You know that the rights of freemen were pretty freely dealt with there?—Yes, they were.

7584. (*Mr. Crawford.*) And I think you are also acquainted possibly with the case of Newcastle, where the freemen claimed and got compensation?—Yes, that is so.

7585. (*Chairman.*) You demur to amalgamation because of the injury it might do to the customs of the City?—Yes, it would undoubtedly involve difficulties. For instance, there is the custom of market overt, which was referred to by Sir Charles Hall. It is much prized as one of the customs, and it is part of the Common Law, but it would be very difficult to extend it beyond the present boundary of the City.

7586. (*Lord Farrer.*) Will you explain to us what is the great advantage of the custom of market overt?—Because it gives an absolute and indefeasible title.

7587. Is there any reason why that should exist in Fleet Street and not in the Strand?—I do not know that there is.

7588. If it is good for Fleet Street, is it not good for the Strand?—No, I should see no objection to its entire extension.

7589. (*Chairman.*) Is not its maintenance entirely independent of all municipal and political change? Is not there a similar custom in markets elsewhere? Prove the area of your market, then the custom applies?—Yes, it is possible that any change which might be made in the Government of London, might leave that custom untouched, because it is immemorial, and has the other things which go to constitute a good custom.

7590. I think two lines would do it if it is a custom worth maintaining and preserving?—Of course, it could be made a statutory right.

7591. It could be preserved by statute?—Preserved by statute.

7592. Then do you attach importance to the civic hospitality?—Yes, I should like to say that there is one custom to which reference has not been made, that is the right of the City to approach the Sovereign on the Throne. That right is greatly prized by the City, and is undoubted. It was questioned whether the City had the right to approach Her Majesty directly. That was conceded by Sir William Vernon Harcourt, when the previous Bill dealing with the Government of London was brought in, he conceded that it was an absolute right. Whether that would be continued in the case of any alteration in the ancient Corporation of London is a matter which might be open to very great doubt, I should think.

7593. (*Lord Farrer.*) Has it been asserted of late?—Well, it has not been asserted excepting in that case when Sir William Vernon Harcourt's measure was introduced.

7594. (*Chairman.*) It has not been asserted against a Recorder, has it?—Oh no.

7595. (*Mr. Smith.*) It has been exercised of late, Sir Forrest Fulton—I mean in the presentation of addresses?—Oh, yes. I attended myself in the absence of the Recorder.

7596. (*Mr. Crawford.*) But it is something more than presentation of addresses of congratulation. It

includes addresses of remonstrance affecting Her Majesty's Ministers.

7597. (*Mr. Smith.*) You might have presented a remonstrance against this Commission.

7598. (*Mr. Crawford.*) The Corporation could have attended and presented a remonstrance against the appointment of this Commission if it had liked.

7599. (*Lord Farrer.*) You have not remonstrated lately?—No.

7600. (*Chairman.*) This right of approach to the Sovereign might be preserved if the Constitution of City were extended to greater London?—That is a matter about which I have grave doubt.

7601. I should have thought the Sovereign would have seen no objection?—I am not speaking for Her Majesty.

7602. (*Mr. Crawford.*) She might have preferred her ancient and loyal subjects of the City of London?—So broken up, it might well be not continued.

7603. The Corporation would be entirely altered—its historical constitution shattered.

7604. (*Mr. Smith.*) If the City of London had done what other places have done, extended its boundaries, London would be very much more important now than the City is at present?—Oh, no doubt. There is no doubt that the reason why the boundaries were not extended was jealousy on the part of the Crown of the enormous power and influence which the City exercised, and it was generally in those days opposed to the Sovereign and strongly in support of popular rights.

7605. Against despotic sovereigns?—Yes.

7606. I have just a question to ask. It became my duty to ask the question of the Lord Mayor—or rather the late Lord Mayor—and I observe you have spoken very highly of the Lord Mayor's duties as Chief Magistrate; but, assuming for a moment that in the City of London there were more municipal work to do than there is now, would you not think it rather a waste of power to make the Lord Mayor a police magistrate?—Well, the Lord Mayor has always been, for so many centuries, associated with the administration of justice, at the Mansion House, one could hardly think of the Mansion House without a Lord Mayor. He is a personage indissolubly connected with the place.

7607. It has been very much impressed on this Commission that municipal duties are thought less of than judicial duties in the City of London. It is a point which occurred to me?—I am not prepared to express an opinion upon that.

7608. Supposing the Lord Mayor were really Lord Mayor of the larger area of London you would not venture to suggest that he should waste his time sitting as police magistrate two or three hours a day?—For my own part, I do not see how it is possible for a Lord Mayor to discharge the duties of the larger area.

7609. If you relieve him of his judicial functions?—If you relieve him of those. The Lord Mayor—as I have particularly observed since I have been Common Serjeant—has his time fully occupied; and if his work were further increased by throwing on his shoulders duties connected with the whole of greater London, I do not see how he could do it.

7610. I am suggesting how you could relieve him of two or three hours a day?—No doubt the duties of the police court and the Mansion House would actually take two or three hours a day.

7611. They would naturally select for the head of a great municipality a man of supreme administrative capacity?—Yes, if they could get an ideal man.

7612. And it would be better to confine him, no doubt, to those duties as far as possible?

7613. (*Mr. Crawford.*) Would you consider it a waste of time, Sir Forrest, for the Lord Mayor to discharge judicial functions? Mr. Smith refers to it as a waste of time?—On the contrary, I have already explained that I think the citizens themselves attach great importance to the fact that the duties of magistrate are discharged by one of themselves who has peculiar knowledge and acquaintance with the business of the City.

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7614. Is not there another very great advantage—that the Chief Magistrate of the City is resident, and therefore always available?—Yes, no doubt that is so.

7615. And do you not think it also another advantage for the person who occupies the high position of Chairman of the Court to be in direct touch with the various members of the Corporation?—Certainly.

7616. Take, for instance, the London County Council—there is nothing to prevent the Council, is there, from choosing as its chairman a man who has never had any experience whatever of County Council work?—Oh, of course they can do so.

7617. There is an immense difference with the Corporation? Before a man can become the head of the Corporation he must have had 10 years' or 12 years experience of municipal work?—That is so.

7618. Does not the Lord Mayor, as head of the Corporation, have a very large amount of municipal work?—Yes, that is so.

7619. He attends every meeting of the Court of Common Council and the Court of Aldermen?—Every one.

7620. And is he not invariably consulted by the representatives of the various committees?—Yes, invariably, I believe.

7621. And, therefore, if Sir David Evans put forward the magisterial work as of first importance, you would still admit that the Chief Magistrate has a large amount of municipal work?—Say enormous rather—I mean the duties which devolve on the Lord Mayor. That is under present conditions. What I desired to emphasise was that, assuming, for the sake of argument, that the period devoted to magisterial work were excised from the office, it seems to me he would have great difficulty in discharging the duties over so enormous an area as would appear to be contemplated by some people, namely, making the City coterminous with the County of London.

7622. You referred just now to what has been described as a huge municipality. With your knowledge of London government, do you think an immense municipality would be an advantage?—I think it would be an unmixed evil.

7623. Can you suggest to the Royal Commission any advantage of amalgamation between the Corporation and the London County Council?—I cannot see that any benefit can be derived at all. I think a reform in the internal government of the vestries no doubt would be desirable, by the completion of the scheme contemplated by Mr. Ritchie; that, I think, is most necessary and desirable, but I cannot see that anybody would benefit by lifting off the roof of the Guildhall, which is the way some people put it, and extending it over greater London.

7624. You cannot consider the proposal one of convenient practicability?—I have considered the question most carefully, and I cannot discover any convenient practicability.

7625. I suppose that you would consider that the County Council of London, leaving out the City, was to a great extent a county municipality at present?—I do not consider that it is a monster municipality; it is a monster county council. Their great ground of complaint is that it is merely a county council, and that a great many of a municipal council's duties devolve upon it.

7626. (*Chairman.*) You think that its municipalisation would be an evil?—Not particularly in regard to the County Council. Many people think that the introduction of political parties into municipal affairs is a great evil. That would be enhanced greatly if you create one huge municipality.

7627. That applies to some of the great cities of the Kingdom, does it not?—It does.

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7628. (*Mr. Smith.*) It has not been suggested, as a rule, that they are doing their work badly?—Many of them are doing their work extremely well, all the better if not political. At one time the feeling in Birmingham was very strong in regard to the political character of the corporation, but happily this is not so much the case now.

7629. You are not prepared to say that the work was not equally well done?—Nothing could be better done.

7630. (*Mr. Crawford.*) I think things have greatly improved under Mr. Smith, have they not?—I think his presence has tended to bring about good results.

The witness withdrew.

Mr. C. G. Douglas.

Mr. CECIL GEORGE DOUGLAS, Clerk to the Lord Mayor, called in and examined.

7631. (*Chairman.*) Mr. Douglas, you are the Chief Clerk at the Mansion House?—I am.

7632. You have been there for some time?—I have been at the Mansion House about six years as Chief Clerk.

7633. What was your experience before that?—I was, first of all, for about five years at Bow Street Police Court under the late chief magistrates, Sir Thomas Henry and Sir James Ingham; I was two or three years assistant clerk at the Mansion House Justice Room; four and a-half years chief clerk at the Guildhall Justice Room, and nearly six and a-half years chief clerk at the Mansion House Justice Room.

7634. The Lord Mayor, or in his absence an Alderman who has passed the Chair, always presides there?—Usually.

7635. What are the exceptions?—Occasionally an Alderman who has not passed the Chair would preside there, but that is very rare. In the last two or three mayoralties the Lord Mayor has sat nearly every day when he has been in England.

7636. And in your experience you are prepared to give us some view of the character of this Mansion House Court as compared with other police courts?—Yes. I may say that during the period I was chief clerk at Bow Street I acted temporarily as chief clerk at various other Metropolitan Police Courts. There were seven or eight of them, I think, and since I left that service I have been very much in touch with the Metropolitan Police Courts in various ways. The work of the Mansion House as compared with that of a Metropoltian Police Court is extremely different. In Metropolitan Police Courts a large number of cases coming before the magistrates are of the character of what are termed "night charges," such as assaults, assaults on police constables, minor offences, and a great number of petty summonses; whereas the work coming before the Lord Mayor or the presiding magistrate at the Mansion House is of a very serious character. I mean, further, that we get a very large proportion of long commercial frauds, such as fraudulent bankruptcies, large bank frauds, long firm conspiracies, intricate cases under the Merchandise Marks Act, falsification of accounts, matters involving a considerable amount of commercial experience and commercial knowledge, especially of book-keeping. The ordinary police court work of the Mansion House is, comparatively speaking, light, owing to the respectable character of the population and the small residential population.

7637. There must be similar cases to those mercantile cases occurring in our big provincial towns?—Probably; though the City of London being so to speak, the pulse of commercial life, I think our cases are probably considerably larger. Of course we get a very different class of litigants to our court also from what occur in the metropolitan courts. The persons having business in our court are, as a rule, merchants or commercial people who are generally represented by solicitors or barristers; whereas in the Metropolitan Police Courts the general average of litigants are poor persons without any legal advisers to conduct their cases. We get many more solicitors and counsel at the Mansion House than they get at the Metropolitan Police Courts.

7638. And perhaps a different quality of solicitors too?—Well, sometimes; I mean it is a very frequent thing to have counsel at the Mansion House, whereas one small table is all that is allowed for counsel at the Metropolitan Police Courts. We can accommodate ten or a dozen, and often have as many in the course of the day.

7639. Is there any difference between the two courts, the Guildhall and the Mansion House?—No, sir; the difference is simply this, that the City is divided for police purposes into six divisions, and the Mansion House takes three of those divisions, namely, the southern part of the City, and the Guildhall takes the northern part of the City. There are other classes of work done at the Mansion House that are not done at the Guildhall, and there are classes of work done at the Guildhall that are not done at the Mansion House. That is a mere arrangement for the general convenience of the public. For instance, all the Excise cases, all the cases by the Excise authorities in the City of London, are heard at the Mansion House for the convenience of the Commissioners of Excise, it being more convenient to come to one court. Then small tenement cases and bastardy cases, for convenience, are taken at the Guildhall.

7640. Do you wish to make any comparison between the cost of your justice rooms in the City and courts outside the City?—Yes, I have worked out the cost of the magisterial and clerical staff of a Metropolitan Police Court as compared with the cost at the Mansion House. These, of course, I may say, sir, do not include ushers or any persons of that character, summoning officers or anything of that sort, simply the magisterial and clerical staff. I find that a Metropolitan Police Court costs 3,980*l.*, my court costs 1,650*l.*

7641. The fact being that you include 3,000*l.* for the salaries of the magistrates in the case of the Metropolitan Police Court?—That is so, sir.

7642. Otherwise your court is a little more expensive?—Yes, it is a little more expensive; but I have included in my court a cashier and a junior clerk, which they have not got at the Metropolitan Police Courts, because they use other officers, who are not appointed to do clerical duty, to do the work. For instance, they have a cashier making out summonses, I have not included that; so my clerical figures do look higher.

7643. The main point of difference is that you do not pay for your magistrates?—That is the main point of difference, no doubt.

7644. How would the amount of work done at your court compare with the amount of work done, say, at Worship Street?—How do you mean, the work done, do you mean statistics?

7645. Yes?—These statistics the Commissioners will find——

7646. You cannot give a general view?—Yes, I can, sir, if you will allow me. I have not the least doubt that, taken statistically, Worship Street will look very large as compared with the Mansion House; but you must remember that at Worship Street perhaps in an afternoon they get 70 or 80 School Board summonses; each one of these will come in as a case in the statistics. We have a great number of long commercial frauds, which will, perhaps, occupy eight or nine or 12 days in hearing, and which will run to 500 or 600 pages of depositions, and in my return that only comes in as one case. Practically, the work that is done at the Mansion House, speaking from my best experience, which has been confirmed by more or less recent facts, is quite as heavy as that

of any Metropolitan Police Court, only it is of such a different character. Our work is, in fact, more to be compared with that of the work of Bow Street, where they have very little district work to do, and where the time of the magistrate is taken up by what are called heavy cases.

7647. (*Mr. Crawford.*) I see you give us, in the Blue Book, a return of business transacted at the Mansion House for the past three years?—It is in the Blue Book at page 17. Then, of course, I should like to say, I do not know if the Commissioners have had statistics from the other courts; but in preparing these statistics the number of persons in custody include the remanded cases. I only included a remanded case once; for instance, a case coming up to-day and remanded 12 times only appears once; I know that in one instance, in the statistics they got from another police court, they put in that as 12, and you will soon mount up cases at that rate.

7648. (*Mr. Smith.*) Are you referring now to page 17?—Page 17, yes.

7649. You do have a good lot of small cases: summonses for poor and other rates, assaults, and other offences, amounting last year to more than 1,000?—Yes, that is so; but a very large proportion of those are units.

7650. I want to see how many big commercial cases you had as compared with the small cases; the number of persons in custody charged with offences, including remanded cases and persons appearing on summonses for criminal offences in 1891 and 1892 was 1,614?—Yes, in custody, and appearing on summonses for criminal offences; that does not include the number against whom summonses have been issued.

7651. That is an addition?—That is an addition.

7652. Can you tell what proportion of that 1,614 can be put under the head of commercial cases?—I cannot tell you that per-centage.

7653. Have you the slightest idea, a half, a third, or a tenth?—I think you may take it from me that 65 to 70 per cent. of the cases heard before the magistrates, not including the summonses for poor rates, relate to commercial offences.

7654. (*Chairman.*) Two-thirds?—Yes, about that; of course, I am speaking of that very roughly.

7655. (*Mr. Smith.*) Would you just define commercial offences?—Yes, certainly; false pretences, bank forgeries, frauds by general brokers, Stock Exchange swindles, frauds by directors of public companies, shipping cases, conspiracy, larceny by clerks and servants and falsification of accounts, cases under the Bankruptcy Acts, Companies Acts, Merchandise Marks Act, Factory Acts, &c., of which we get a great number.

7656. You think 70 per cent.?—I should say roughly 65 or 70 per cent.

7657. And that is a much larger per-centage than you will get at any stipendary magistrate's court except, I think you said, at Bow Street?—For this reason, Bow Street takes all the Treasury work; they get all the work there. In comparing the Mansion House and the Metropolitan Police Court, Bow Street is the only one that can be fairly cited.

7658. You had a large experience of stipendiary magistrates yourself?—Oh, yes, a large experience.

7659. Did you read Sir John Monckton's evidence upon that?—No.

7660. Should you agree with him—would you like to see a system of lay magistrates adopted all over London?—I think that the extension of such a system might be desirable at certain places, but not in others. You see there are lay magistrates and lay magistrates. The magistrates who are appointed in the City of London are all trained commercial men, and in my humble opinion very proper people to deal with purely commercial cases; but whether it may be desirable in Worship Street to appoint a Court tailor or skin merchant I do not know. That is a question I should myself hardly like to answer.

7661. Are you familiar with any of the courts of our large provincial towns?—The only one I am at all familiar with is Leeds; the magistrates' clerk is a friend of mine. I have been in there several times.

7662. You know they must have a large number of commercial cases?—Oh, no doubt; but I have been there on a Monday morning when there have been 70 or 80 cases of night charges.

7663. If they had a heavy commercial case would they take it before a lay magistrate or a stipendary?—I cannot say as to that.

7664. You have no prejudice as regards the employment of professional magistrates?—I have a prejudice in this way, for a purely commercial class of cases such as we get—I am speaking of the City Courts—I think if a commercial man is on the bench he is a far fairer judge than a professional man. I can give you an instance of that in my experience.

7665. It might be quite possible to find a professional man of the requisite experience?—It might be possible.

7666. From among gentlemen who have practised in the court for some years?—I do not think mere practice in the court gives a magistrate such experience as gives him an opportunity of understanding commercial principles. I mean many instances have occurred, in which the magistrate on the bench has said, even in cases where counsel or solicitors were employed, "Give me the books," and, after having seen them, and put a few questions, has evolved order out of chaos.

7667. Book-keeping is now part of the curriculum of a solicitor's education?—It may be part of the curriculum of a solicitor's education, but I am afraid not many of them know much about it.

7668. (*Chairman.*) You have seen Mr. Kemp's evidence?—Such portion as relates to magisterial work I have read, sir.

7669. And you would like to make one or two corrections upon it?—Yes.

7670. Now, about the special functions of the police magistrates—or Bow Street magistrate, in respect of extradition, is there a correction to be made there?—Well, sir, reading Mr. Kemp's statement, he has slightly misunderstood, probably, the practice of extradition.* Under section 5 of the Extradition Act, 1873, any justice of the peace anywhere may be authorised by the Secretary of State to take evidence in the United Kingdom for the purpose of any criminal matter pending in any court or tribunal in any foreign State. As a matter of fact the Lord Mayor takes a very great deal of evidence under this particular section, and I know that such evidence is returned to the Home Office in a most complete and accurate state, as is testified by the authorities there, who have complimented the Lord Mayor on the way in which the evidence has been returned. When I say a great many, I think we get 50 or 60 in the course of a year, quite.

7671. But the Chief Magistrate at Bow Street is the only person authorised to issue a warrant, is he not?—He is the only person authorised to issue a warrant for the apprehension of a fugitive from abroad. Any magistrate can issue a warrant for the arrest of a person out of the jurisdiction.

7672. To deliver up a fugitive here?—It must be done only by one of the magistrates at Bow Street as defined by the Extradition Act.

7673. You also desire to say that the City magistrates have power to give possession to deserted premises?—I think, sir, they have the same power that any two justices of the peace would have to do it. But the City police magistrate can do it by himself. The only distinction is that the metropolitan police magistrate can issue a warrant to a metropolitan police constable to view. I am wrong, sir. I think the City justices have to go themselves to visit the premises. This is a point upon which Mr. Savill, the Chief Clerk of the Guildhall, will give you more information about. I am rather rusty about it.†

* *See* Kemp, 6028–30.

† *See* Kemp, 6021. Savill, 7707.

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7674. It is not a matter of vital importance, I think?—Probably not.

7675. Have you anything else you desire to say?—Well, that is rather a wide question, sir. Would you mind particularising that slightly?

7676. I have exhausted your proof. At the end there is a statement that you have been visiting particular police courts?—That was simply with a view——

7677. It occurred to me that probably you desired to say something about that?—That was simply my memory, partly. But there is one point which strikes me very forcibly—that is the great punctuality of the City courts. I think that this is a very well-known fact among members of the profession, that if they have a case fixed for a definite time at a City court they can be pretty certain that it will be taken at that time. Arrangements are made for the sitting of magistrates at a particular time, and litigants and their advocates are not kept waiting. Many solicitors and members of the Bar have referred to this—to the great facilities afforded them at the City courts. With reference to visiting particular police courts, I have recently visited several of the courts, taking them merely by chance.

7678. You found, probably, a good deal of variation of practice in those courts?—Not in practice. I have found this—that there is very little punctuality.

7679. That is a universal failing?—Of all the courts I have been to; I went to one at which the magistrate was supposed to take his seat at 10 o'clock, and he did not put in an appearance until 11 o'clock. This I considered very hard upon poor people who had to make applications; such things in the City Courts are unknown.

7680. (*Mr. Smith.*) Such things have been said of Her Majesty's Judges?—That is so, sir. I merely give you my experience as I have found it. I have found the same thing in other courts. There is no doubt about it, punctuality is not observed. It was no matter to me: if I had been a person who had only an hour off, it might have been somewhat of a serious matter.

7681. (*Mr. Holt.*) Are you speaking of the metropolitan courts?—I am, sir. I purposely abstain from mentioning particular courts. I could give them if necessary.

7682. (*Mr. Crawford.*) I suppose, Mr. Douglas, the success of a magistrate may be well tested by the number of appeals from his decision?—That is a very fair way of testing success.

7683. Well, now, what has been the result of appeals in connexion with City cases?—There is a return in the Blue Book going back from 1889.

7684. What page are you at?—Page 17. In 1889 and 1890, there were no appeals at the Mansion House from decision given; in 1890 and 1891, there were no appeals; and in 1891 and 1892, there was one special case under the Oyster Fisheries Act, which was an extremely intricate matter, in which the judgment of the magistrates was reversed. But I can give the Commission some more extended instances than that. I am only speaking, of course, of the Mansion House.

7685. Just confine yourself to the Mansion House?—Since the 1st January 1888, there have been only two appeals to Quarter Sessions from convictions of the magistrates. In both of these the convictions were affirmed. From the same date to the 31st December 1893, special cases have been applied for or rules *nisi* moved for to the number of 20 altogether. In only one special case, viz., that one under the Oyster Act I have just mentioned, has the decision of the Alderman been reversed, and only two rules made absolute; and in one of those the Lord Chief Justice said the Court made the Rule absolute with reluctance. Further than that, there were a large number of informal appeals to the Home Secretary for reduction of sentences of which I have no exact record. Speaking from memory, and my memory is pretty accurate, we have had no cases since the 1st January 1888.

7686. (*Mr. Smith.*) Do you know whether that record is better or worse than the record of an ordinary police court?—I have not compared it. I could not tell you at all.

7687. (*Mr. Crawford.*) You have spoken of punctuality. Do you find it also a great advantage in the City to have a Chief Magistrate resident?—Unquestionably I do. I could give the Commissioners a very recent example of that. We had a man and a woman shot in the City of London; inquiries were made as to whether it was necessary to take the man's depositions; the house surgeon said he did not think it was. Later in the day, about half past five, an urgent messenger came down to say the man's depositions ought to be taken. The Lord Mayor, resident on the premises, made arrangements to go as speedily as possible, the only reason for delay being that we had to fetch the prisoner from Holloway Prison. Now, if that had occurred at a metropolitan police court, the magistrate would have by that time left the place altogether, and they would have had to go to some magistrate's private house, wherever he could be found. I have known cases where it has taken three or four hours to find a metropolitan magistrate.

7688. Speaking of metropolitan magistrates, you have been asked several questions respecting lay magistrates. Having regard to your experience both of metropolitan magistrates and magistrates in the City, do you consider it an advantage to the citizens of London that they should have lay magistrates in preference to stipendaries?—For the particular class of work which is presented in the City of London, I think that as long as they get magistrates of the commercial experience and ability of our present bench, they certainly make, for the particular class of business they have to perform, better magistrates than professional men.

The witness withdrew.

Mr H. G. Savill.

Mr. HERBERT GEORGE SAVILL, Clerk at the Guildhall Justice Room, called in and examined.

7689. (*Chairman.*) You are the clerk at the Guildhall?—I am.

7690. You have heard Mr. Douglas's evidence?—I have.

7691. You agree with that evidence so far as it was within your common knowledge?—Yes, I agree with it.

7692. Have you anything to state to us with respect to the Guildhall as distinguished from the Mansion House?—The work at the Guildhall is not exactly the same as at the Mansion House. For instance, at the Guildhall there is no resident magistrate: an Alderman attends from the rota for each week. And then there are certain differences as to the business that is transacted at the Guildhall.

7693. One Alderman, as a rule, sits there?—One Alderman—yes.

7694. You were at the Marlborough Street Police Court, I see, for some time?—For about five years—for over five years.

7695. How would you compare work done at the Guildhall with the work done at Marlborough Street?—Do you mean as to quantity?

7696. No; I mean as to the character of the work?—I should say that, as to the Guildhall, but I agree with Mr. Douglas' answer to yourself, that at the Guildhall, as at the Mansion House, the quality of the work differs very essentially from the work in the other police courts. At most of the police courts (Bow Street excepted, because there their work is of a very

special character)—the ordinary charges are no doubt charges of drunkenness, disorder, violence, petty larcenies, and a great many summonses for assaults. Of course, in the City there is a very large proportion of commercial frauds—very heavy cases; some cases we had in this last year—I think there were five persons charged with fraud in connection with a company—that was in 1891; there were ten different hearings—four of them whole day sittings. Last year, there was a man named Hills, afterwards convicted, charged with other persons with offences in connection with bill transactions; there were ten hearings—five of them lasted the whole day, and on two days the Court rose at half-past 6 at night. We have had cases that took a week at the Old Bailey to try.

7697. Similar cases are not absolutely unknown in borough police courts?—Not absolutely unknown; but the proportion of them is far less—infinitely less.

7698. The proportion and also the absolute number is less?—And also the number.

7699. What proportion of your cases are of this important mercantile character?—As to what proportion are of a mercantile character or of an important mercantile character is a question of degree; it is rather difficult.

7700. Embezzlement by a clerk may be of the smallest possible importance?—It may be of the smallest possible importance. I cannot say that I can give you an exact per-centage. It is very difficult to find that out. You would have to examine the record of each case specially, and all the other cases which have been gone into in the course of the whole year, no doubt.

7701. Do you get a case of that serious character,—such as you have cited before us illustrations of,—once a week?—Oh, no; that was a very special case indeed. We get heavy cases—cases that last some considerable time very frequently. The reason I mentioned that case, if I may be allowed to say so, was to show the statistics as to the amount of work done simply gave no real criterion as to the time occupied and the important nature of the cases.

7702. (*Mr. Crawford.*) You give us certain particulars, too, I see, Mr. Savill, in the Blue Book; page 20 shows the work done, I see, for three years?—Yes.

7703. I see there are a large number of police summonses down there; are those summonses taken in a different court to the usual court?—Those cases are not taken in the Guildhall Justice Room. There is a special court, which is held twice a week for that purpose.

7704. Is that for the police summonses?—For the police summonses—summonses taken out by the police for offences in the streets—against omnibus conductors and people of that class.

7705. Therefore they would not be included among the cases you are referring to of which there is a large number too?—No; not included, certainly.

7706. (*Chairman.*) You have studied Mr. Kemp's evidence?—I have read it.

7707. Is there anything in it you think it desirable to correct?—There are one or two things, if you think it important. Mr. Kemp mentioned, at Question 5925, cases of pawnbrokers who have bought goods from a person who was not entitled to them. That is with reference to the point of market overt. I have not the evidence before me; but I think he said there are frequent cases. I am not sure as to that. I would say this: I do not recollect one such case in the City, or in the metropolitan district, of pawnbrokers having bought goods as distinguished from pawnbrokers having advanced money upon them. Then there is the question of deserted premises.* That has been already touched upon; and it is simply as to the question of the jurisdiction of metropolitan police magistrates I wish to speak. Although when sitting at any police Court, a magistrate's jurisdiction legally extends over the whole of the metropolitan police district, yet as matter of practice it is, when he is sitting in any one court, confined to the area laid down in the Police Court Division allotted by the Order in Council to that particular court.

7708. (*Chairman.*) I think we have that stated before us?—It has been stated. I mean to say the prosecutor in any case arising outside of any particular division would be referred to the division in which the offence arose, although he might live in another place.

7709. (*Mr. Smith.*) I just want to get at one question, Mr. Savill. I think there is a good deal of difficulty, I agree with you, in the classification of these charges; embezzlement may be a very serious complicated affair, or it may be a very simple affair—so also falsification of books. Tell me, if you can, how many cases a year you have occur at the Guildhall that are decided without difficulty by a lay magistrate, that would embarrass or present difficulty to an experienced police magistrate?—That is exceedingly difficult for me without going carefully through——

7710. Would there be half-a-dozen?—Oh, yes, considerably more—very much more. I could not, without going into the figures, give you any idea whatever.

7711. (*Chairman.*) That Bread Union fraud—would that have embarrassed an ordinary police magistrate?—I should not like to say that; but I think it strictly is a case, I have no doubt it was a case in which the commercial knowledge of the Alderman was of very great assistance in eliciting the facts.

7712. (*Mr. Crawford*) Is it not common knowledge, Mr. Savill, that many of the stipendiary magistrates are gentlemen who, at the time of their appointment, have had no experience at the criminal bar?—That has been my experience in many cases.

7713. (*Mr. Smith.*) It is equally within your experience that the other gentlemen have had no legal education whatever?—No; but they do not sit till they have had a certain amount of experience. As a rule, they are successful business men, with good business experience before they are appointed magistrates.

7714. (*Mr. Crawford.*) You are speaking of the advantage of their commercial knowledge?—Yes, certainly.

7715. There is one question I omitted to put to Mr. Douglas; I will put it to you. Is it not often the practice for the Lord Mayor, or some other presiding magistrate, to certify for professional aid to be given to a particular prosecutor, or to assist the police at the expense of the City?—In many cases. In many cases that arise before him in which, in the circumstances, he thinks there is a serious offence against the public, and in which the prosecutor is not able to bear the expenses, that is frequently done.

7716. So that the City cases, which outside the City would be taken up by the public prosecutor, are, as a rule, taken up by the City Solicitor on the certificate of an Alderman?—Yes. A very recent case of that kind was that of the fire at Aldgate.

7717. And the expense, so far as not recoverable out of the county fund, is borne by the Corporation?—By the Corporation.

7718. Will you tell us what has been the result of appeals from decisions at the Guildhall?—In the year 1890, there were no appeals to Quarter Sessions, and no appeals to the High Court. In 1891, two appeals to Quarter Sessions, in both of which cases the decision of the magistrates was confirmed; and in the High Court there were three, two were successful, and one confirmed. With regard to one that was successful, I may say that the decision that the judges gave with very great regret is in the case under the Public Health Act, in consequence of which an Act was passed to extend its scope.

7719. A recent Act?—A recent Act. In 1892, there were no appeals to the Quarter Sessions, and only one appeal to the High Court, in which the decision of the magistrate was confirmed. There are

* *See* Kemp, 6021. Douglas, 7673–4.

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certain appeals made to the Home Secretary, when a prisoner thinks he is in prison for too long a time and suffers injustice; and of these informal appeals there have been five since I was appointed to the Guildhall, and in every case the Home Secretary has refused to interfere with the decision of the magistrate.

7720. So that according to statistics, lay magistracy in the City has not been unsuccessful?

7721. (*Mr. Smith.*) You do not know that it has been better or worse than the stipendiaries outside?—I have had no experience except in the Metropolitan Police Courts.

The witness withdrew.

Mr. F. S. Jackson.

Mr. FRANK STATHER JACKSON, Registrar of the Mayor's Court, called in and examined.

7722. (*Chairman.*) You are the Registrar of the Mayor's Court?—Yes, sir.

7723. You have heard the evidence of the Recorder and of the Common Serjeant?—Yes, sir.

7724. What do you desire to add—some figures as to the amount of business?—Yes, sir. They are set out in the Blue Book. The Recorder went into nearly all the figures. I was particularly going to say something as to the costs—the comparative costs of the Mayor's Court and the County Court; but the Recorder has gone into that matter.

7725. The Recorder gave us evidence upon that point?—He gave you evidence.*

7726. Do you wish to supplement it in any way?—No, sir; not in addition to the statement which has been already put in the Blue Book. Since the new rules have been applied to the Mayor's Court recently, the practice has been very much modernised, and is now similar to that of the High Court. We have got most of the important rules of the High Court applied to the Mayor's Court, and the business—the important business—of the court is increasing.

7727. The small business is being diverted?—The small business is being diverted. The Recorder is very much opposed to very small actions being brought into the Mayor's Court.

7728. Then, you appear to desire to say something as to your being appointed a commissioner to administer oaths?—Formerly the Bankruptcy Court had an office in the City and there affidavits were taken without any fee to persons in the City, and the Corporation, when the Bankruptcy Court was taken away from the City, requested the Registrars of the Mayor's Court, and of the City of London Court, and also another officer, to continue that practice which the citizens consider a boon.

7729. (*Mr. Crawford.*) Or rather the Corporation applied to the Lord Chancellor to appoint those officers as commissioners to take affidavits?—The Corporation applied to the Lord Chancellor to do so.

7730. And they provided an office, for some time I believe, gratis, did not they, for the officer who used to take affidavits?—They did, I believe, at the old Bankruptcy Court.

7731. And then subsequently they applied to the Lord Chancellor to have several officers appointed in order that the citizens might get their affidavits taken without a fee?—Without a fee; that is so.

7732. (*Chairman.*) We have all the rest of the evidence?—All the rest of the evidence—yes.

7733. (*Mr. Crawford.*) It might be convenient to have this on the notes: your figures differ slightly from those in the Blue Book?—I have been able to get out the 1893 statistics.

7734. You have brought these statistics up to date? You will remember that the Recorder told us that the work of the Mayor's Court was increasing,* and without that explanation it might look as if the work had been falling off recently?—The judicial statistics that I have for 1892 show that there were 11,457 actions entered in the Court; in 1893 there was 11,897, and there was the same number of equity suits—12; that made a total of 11,909 as against 11,460 in the previous year. And the amounts are correspondingly increased for which the actions are brought; I see in 1892 the total was 291,870*l.* and last year it was 339,448*l.* And these are chiefly composed of actions over 50*l.*

7735. Actions are now being brought in the Mayor's Court for very large sums?—Yes, for very large sums indeed. There are several actions at the present sittings of considerable importance.

7736. You are constantly having cases in which Queen's counsel appear?—Yes, constantly; and more often than formerly. There is an increase in actions for sums over 50*l.*

7737. (*Chairman.*) It is a case of recovery. It does not appear to amount to so much as is did four years ago?—No, sir. It fluctuates from time to time. We find that when business generally is bad in the City that has some effect upon our returns. I may say, the appointment of our present Recorder has added to the business of the court.

7738. You get more cases brought into your court?—We get more cases, sir.

The witness withdrew.

Mr. J. A. Wild.

Mr. JAMES ANSTEY WILD, Registrar of the City of London Court, called in and examined.

7739. (*Mr. Wild.*) I do not know, Mr. Chairman, if I am in order; there is one slight error in the report of the Corporation at page 53. It mentions that the Registrar of the City of London Court and the High Bailiff of that Court are subject to annual election. That is not so.

7740. (*Chairman.*) These asterisks should be removed?—Yes.

7741. (*Mr. Crawford.*) It is a printer's error?—It is a printer's error, I think.

7742. I do not think you will find that in the revised edition?—Well, I have only got the first edition.

7743. (*Chairman.*) How long have you been Registrar?—I was appointed in May 1889.

7744. Are you a solicitor?—I was a solicitor; I am a member of the Bar now.

7745. The City of London Court is organised exactly as a county court?—We work under the same rules as the county court, but we have our own private Act, the London (City) Small Debts Extension Act, 1852.

7746. But you have the same rules and the same fees?—And the same fees.

7747. The same procedure?—The same procedure.

7748. (*Mr. Crawford.*) With a special jurisdiction?—With a special jurisdiction under our Act.

7749. (*Chairman.*) You have read these, pages 92 and those that follow relative to the Court?—Relative to the Court, yes.

7750. They are accurate?—They are accurate to the best of my belief, perfectly accurate.

7751. Do you desire to add anything to that?—I have nothing; I do not know that I might add that the returns for the last year, 1893, show a still larger increase in the business of the Court.

7752. A continuous increase?—A continuous increase.

* *See* Hall, 7392–5.

* *See* Hall, 7410–1.

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7753. Do you know how much was realised in the way of fees?—I am now speaking from memory, but I think it was 20,500*l.* odd.*

7754. An increase of about 1,000*l.*?—About 1,000*l.* over last year.

7755. That has been a continued increase for the last six years?—For the last six years.

7756. The Court more than pays its expenses?—Decidedly.

7757. It is a valuable property to the City?—A very valuable property to the City I should say.

7758. Are there any complaints made against the Court, or any desire to alter its character?—No, I have never heard of any. I can only say this, that if any complaints are made, I always feel it my duty to lay them before the Law and City Courts Committee, who pay the greatest attention to anything so submitted, and always endeavour to remedy any defects if it lies in their power to do so.

7759. The judge has hitherto been appointed by the Common Council?—Yes; in future he will be appointed by the Crown.

7760. Now he is under the appointment of the Government, under the Local Government Act?—Yes.

7761. (*Lord Farrer.*) Where does the Court sit?—At the Guildhall in its own buildings; it is opposite where the old Bankruptcy Court used to stand.

7762. (*Chairman.*) Except so far as the balance of income over expenditure is concerned the Court might be considered to be entirely detached from the City?—Hardly, I think, sir.

7763. What authority has the City got over it?—The City has got authority, so far as I myself am concerned; all Registrars of other County Courts are under the jurisdiction of the Lord Chancellor, I, on the other hand am accountable to the Corporation, and the Lord Chancellor, I believe, has no jurisdiction over me. I am removable, the Corporation can removes me for just cause.

7764. (*Lord Farrer.*) Has the plaintiff any special privilege?—Yes, sir, he has a special privilege in this way. In the first place, in the ordinary County Court he must file an affidavit where the defendant resides out of the jurisdiction and get leave of the Registrar to issue his plaint. In our Court, under our private Act, he is not bound to do that. Then, on the other hand, a plaintiff can sue a defendant who is merely a clerk in the City; that is, the fact of his having employment within the City gives the Court jurisdiction.

7765. Without residence?—Without residence.

7766. (*Mr. Crawford.*) That is a special jurisdiction?—That is a special jurisdiction.

7767. Provided by the Local Act?—It was upheld the other day in the case of Hutner *v.* Phillips.

7768. You recently have had considerable extra work thrown upon your Court, I think, in connexion with the Companies Winding Up Act?—Certainly, a great deal of extra work has been cast upon us.

7769. And I believe that the special privileges that you have referred to were specially reserved to the City under the County Courts Act of 1888?—Yes, the last section in that Act, if I remember right.

7770. Section 185 safeguarded the rights and privileges of the City so far as your Court was concerned?—Yes.

7771. I think the Court has been very recently re-built, and at the present moment is being added to?—Added to now.

7772. (*Lord Farrer.*) There is a very considerable fund which the Corporation get from the Court, is there not?—Well, I am afraid I cannot speak of the fund because I simply pay the money over, and there is an end of it, so far as I am concerned.

The witness withdrew.

Mr. John Alexander Brand, the Comptroller of the City of London, called in and examined.

Mr. J. A. Brand.

7773. (*Chairman.*) Mr. Brand, you are the Comptroller?—I am, sir.

7774. How long have you been such?—I have been upwards of 14 years Comptroller and have been 42 years in the service of the Corporation.

7775. Can you tell us what the duties of the Comptroller are?—Well, the Comptroller really is a sort of steward that manages the City's estates. I do all the conveyancing work, the legal work of the Corporation as far as conveyancing is concerned. I have to attend the Court of Common Council and the Court of Aldermen, and I am clerk to the City Lands Committee, which committee has the letting of the City property, and I am also clerk to the Bridge House Estates Committee, who have the management of Bridge House estates.

7776. (*Mr. Crawford.*) And you are also Vice-Chamberlain?—I am also Vice-Chamberlain.

7777. (*Chairman.*) Is all the landed property of the City in your charge?—Yes.

7778. (*Lord Farrer.*) All the landed property?—At least, all under the control of the above Committees. I look after it, and see when leases are expiring, and I keep the rental, a copy of which I supply every year to the Chamberlain, and I also prepare a statement of the amount that ought to be received by the Chamberlain during the year. The Chamberlain's and the City's accounts are kept upon the principle of charge and discharge. I prepare an account of the receipts of the Corporation, and that is laid before the Court of Common Council every year, and in about two months afterwards the Chamberlain has to make a return showing how he has disbursed the money.

7779. (*Chairman.*) You charge him with the revenue he ought to receive?—Yes, with the revenue he ought to receive.

7780. Has the Comptroller charge of the unoccupied lands?—Yes.

7781. As well as the occupied or let land?—Well, I cannot say that I am in charge of the unoccupied land, the surveyor is in charge of that, but still I know what it is; I keep an account of the vacant land.

7782. Then you would be enabled to make out a complete list of the property of the City in that regard?—Certainly, sir.

7783. (*Lord Farrer.*) Can you do that for us, or do you feel justified in giving it to us?—I have not the slightest difficulty about that; the fact is there is very little unlet now.

7684. Are you able to give to this Commission an account of what the property of the Corporation is, or would you require their authority before doing that?—I would prefer their authority before doing that; but the land under the control of the City Lands Committee is situate principally in the City.

7785. (*Mr. Smith.*) Have you a terrier of all your estates?—Well, I keep it in the way of rental.

7786. I mean have you a terrier with the plans of the property?—Yes; it is in the possession of the architect: I also have a plan for reference, one of the Ordnance plans, in which all the City property is coloured; the architect has, of course, a better plan, a fuller plan of the whole of the City property.

7787. A detailed plan of the buildings, and so on?—Yes.

7788. But I mean a plan of the estates?—Only in that way, we have an Ordnance map and City Surveyor's plans.

7789. The principal City estates are in the City, and in Conduit Street in the West of London?—Yes; in Bond Street and Conduit Street.

7790. Have they large estates outside London?—Not the City.

* The exact amount is 20,439*l.*

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7791. The Bridge House Estates?—The Bridge House Trust has large estates outside the City, in Southwark and Lewisham; they have a little property in the City, but the principal property is in Southwark and Lambeth and Lewisham, and some parts of Essex.

7792. You work under the City Lands Committee?—Yes; as Comptroller I am clerk to the City Lands Committee. I attend them, take their minutes and prepare all the reports of the Court.

7793. That is regarded as the most important committee of the Corporation?—It is, sir, the Chairman is called the Chief Commoner.

7794. He is always a commoner?—The Chief Commoner he is always called.

7795. But he is never an Alderman, is he?—Well, he may be an Alderman, but it is very rarely. I do not remember an Alderman being Chairman in my time; they have all been members of the Court.

7796. What proportion of your property is let on lease?—Almost the whole of it; there are a few houses let on weekly tenancies.

7797. On repairing leases?—On repairing leases.

7798. On rack rents?—On rack rents, of course, building leases are held at rack rents.

7799. What is the usual term of the lease?—80 years, but in one or two cases, land on the Thames Embankment, for instance, leases have been granted for 90 years.

7800. And you receive premiums on letting?—Only for public-houses.

7801. For what period do you let a public-house?—For 80 years or 21 years, rack rents 21 years; building leases, 80 years; but public-houses, I may say, are the only cases in which we receive premiums.

7802. When a lease runs out what is your procedure, do you advertise for tenders?—No, it is done this way. Two years before the lease expires we communicate with the occupying tenant and ask him whether he wishes to take the property on lease. That is done because the Corporation have always thought that it is the fairest way to grant the lease to the man who carries on his business on the property, and if he applies it is referred to the architect to report as to what he considers the value of it. If the Corporation can come to terms with the occupying tenant then the lease is granted to him, if on the other hand they cannot come to terms then it is put up to let by public tender.

7803. (*Lord Farrer.*) Are your rents increasing on the whole?—Yes, increasing.

7804. They are increasing?—Yes; as far as the City is concerned, I do not think we shall have much of an increase for a few years to come, but on the Bridge House Estates we shall. It is a very old custom treating with the tenant; I saw it stated in a minute book of the reign of Charles the Second, that it had been the practice of the Corporation to do so, and it has been carried it out ever since and a very fair custom I think it is.

7805. Are the Bridge House Estates managed on the same principle?—On precisely the same principle.

7806. (*Chairman.*) By the same Committee?—No, that is by the Bridge House Committee.

7807. (*Mr. Holt.*) It is the custom to let the leases run out, is it then?—No, two years before the lease expire we treat with the occupying tenant; we do not treat with the old lessee.

7808. It is not your custom when a period of years, 10, 15, or 20 years, has run off a lease to renew the lease, to put in it the full 80 years period again, is it?—That is only on the Conduit Mead Estate; those are renewable leases which are granted for 40 years, and there is a covenant that the Corporation will renew the lease at the expiration of 14 years for another term of 40 years.

7809. (*Lord Farrer.*) Every 14 years?—Every 14 years?—Every 14 years, that is only on the Conduit Mead Estate, those are renewable leases. The lease is granted for 40 years, and then there is a covenant, that the Corporation will renew it at the expiration of 14 years for another 40 years.

7810. On payment of a fine?—On payment of a fine.

7811. What is done with these fines?—They go to the City's cash.

7812. Are they treated as income?—I think so, for the purpose of paying off old debts.

7813. (*Mr. Crawford.*) Mr. Payne told us they had been specially applied in connection with the payment of the Grain Duty debt?—As far as the commutation of fines is concerned, that is quite a new scheme; it was introduced about two years ago.

7814. (*Chairman.*) How did that obligatory renewal arise at Stratford Place, do you know?—I think it was in the reign of Charles II. The property belonged to the Corporation and they granted a lease to—I forget now to whom they granted it—but a lease was granted for a long term; when the lease expired most of the land was vacant; but there were some buildings upon part of it which were in a very dilapidated condition, and the Corporation wishing to improve the property and encourage people to build houses upon the Conduit Mead estate, specially granted these renewable leases. It was a most unfortunate thing for the Corporation to do, but it was rather done in the interest of their tenants and the interest of the public, that they granted them. Of course builders would not build upon a short term like 14 years, so they granted a lease for 40 years, renewable every 14 years. Upon that there was a ground-rent payable, and they took a fine of about four years' original ground-rent for granting the renewable lease. It is rather difficult to get at the exact figure, but as far as I can make out it is about four or five years' original ground-rent.

7815. (*Mr. Holt.*) The payment to the Corporation then is not upon the present value of the property?—Oh, no, I wish it were for the sake of the Corporation, for many of these houses we only get about five or six pounds a year, and I know that in one or two cases they are let at 3,000*l.* a year.

7816. (*Chairman.*) The real estates of the Bridge House Estate extend much beyond London apparently?—Yes, they go down principally round into Southwark, Lewisham, Esher, and Ewell.

7817. (*Lord Farrer.*) Building ground, chiefly?—Yes, building ground; of course they are building over it now. The Bridge House Farm was a large farm and has just been let on building leases.

7818. (*Chairman.*) Have there been any additions made to the Bridge House Estates in recent years?—Yes; the last five or six years there have been great additions in the way of building.

7819. In what way?—Well, by leases expiring, and new leases being granted at increased rentals, the last two or three years there has been an increase in the rental of 10,000*l.*, and in 1892, the rental from the Bridge House Estates amounted to 90,000*l.* per annum.

7820. That is an increase of the rental?—Yes.

7821. But the property itself has not increased?—Not any increase. Of course the Corporation and the Bridge House Estates Trust cannot purchase property without a license in mortmain.

7822. Has it a power of sale?—No, not a power of sale.

7823. (*Lord Farrer.*) The Committee; have not the Corporation a power of sale?—No, it always been held that we have no power of sale.

7824. That is of the Bridge House Estates?—The Bridge House Estates; if any money is paid by a railway company for any of their property, it is always paid into the Chancery Division of the High Court under the disability clause of the Lands Clauses Act.

7825. Have not the Corporation a power of sale in respect of their estates?—Well, we have held that they have not.

7826. The Corporation have not?—No; and it is precisely the same with the Bridge House Estates,

where property is taken, the proceeds are paid into the Chancery Division of the High Court.

7827. So they never alienate?—Of course, the proceeds are invested in the usual way in the funds, and are re-invested in the purchase of lands, but the Corporation cannot alienate its freehold property.

7828. (*Chairman.*) I see; although you have no power to sell, a long while ago you presumed to lease some part of the Bridge House Estates for 999 years?—Yes, that is rather curious. I do not know why that was done, although it looks very much like some little private arrangement for the public benefit.

7829. (*Mr. Smith.*) It is practically alienation?—At a very small rental.

7830. (*Chairman.*) How much was the property itself, do you know?—I do not know; I give the date.

7831. 1698?—1698, yes. Of course, not only railway companies have taken our property, but some special Acts have been obtained; I think the South Polytechnic Institution acquired some land for educational purposes.

7832. (*Mr. Crawford.*) Sion College?—Sion College.

7833. (*Lord Farrer.*) The London County Council?—Yes, the London County Council.

7834. (*Mr. Smith.*) The School Board I should think?—The School Board have taken land under their Act of Parliament; the South London Polytechnic took the land and buildings under a special Act and entirely for the purposes of public education.

7835. The annual rental of your Bridge House Estates is over 90,000*l.*?—That is so, 92,000*l.* Of course it is all charged with the expenses of re-building Blackfriars Bridge, and purchasing Southwark Bridge, and erecting the Tower Bridge, which has cost a large amount.

7836. There is a very considerable debt at present?—Yes, sir, but very good security.

7837. Oh, yes, I know.

7838. (*Lord Farrer.*) Are you paying off debt?—There is so much paid off every year, the bonds are drawn.

7839. On the Bridge House Estates?—On the Bridge House Estates, the Tower Bridge, yes.

7840. Is there any regular rule for paying off?—Yes, every year there are so many bonds drawn, and those are paid off.

7841. (*Mr. Smith.*) That is prescribed by your Act of Parliament?—That is prescribed by our Act of Parliament.

7842. (*Lord Farrer.*) Do you calculate that when that is paid off that there will be a surplus upon the Bridge House Estates?—Well, no doubt as soon as it is paid off we shall begin to do something else for the benefit of the Londoners; perhaps build a new bridge, or tunnel, or something.

7843. (*Mr. Crawford.*) Of course you have got the maintenance of the Tower Bridge to consider?—But I say after that is provided for.

7844. But the maintenance?—The maintenance of the Tower Bridge is very heavy; I should think it would be between 5,000*l.* and 6,000*l.* a year.

7845. It is estimated at 6,000*l.*?—It would be about that, 6,000*l.*; of course they would be obliged to have double gangs of men.

7846. (*Lord Farrer.*) It is under a special Act of Parliament that you apply the money to the Tower Bridge?—Under a special Act of Parliament.

7847. But the ruling idea has been that this money is to be applied to something of that description, to a bridge or something of that kind?—The trust of the Bridge House Estates is for the support and maintenance of London Bridge.

7848. Yes, I know?—Those are nearly all the words used in almost all our title deeds for 1200 years, a number of which I have inspected. They have always used these words "for the support of London Bridge," or the "maintenance of London Bridge," or the "sustentation of London Bridge;" but after that when the estates of the Bridge House began to increase then the Corporation looked about to see for what other purpose they could apply the estates for the benefit of the citizens and for the benefit of London at large. And therefore they took under their control, first, Blackfriars Bridge; they expended a large sum of money repairing Blackfriars Bridge, and when the Thames Embankment was commenced it rather endangered the foundations; the Corporation thought it would be a wiser thing instead of repairing the bridge again to build a new bridge, and under the Blackfriars Bridge Act the erection of that bridge was charged on the Bridge House Estates.

7849. An analogous purpose to that of London Bridge?—An analogous purpose to that of London Bridge.

7850. (*Chairman.*) A *cy-près* purpose?—A *cy-près* purpose.

7851. (*Mr. Crawford.*) In all these cases the Corporation have done that voluntarily?—Entirely voluntarily.

7852. (*Chairman.*) Under the sanction of Parliament?—They applied to Parliament for sanction to carry the schemes out.

7853. (*Lord Farrer.*) But that fund, notwithstanding all these new Acts, is always treated as applicable to purposes of that kind?—To purposes of that kind; it has never been applied in any way to the City's cash or for the benefit of the Corporation themselves. They have carried out the trust I think most faithfully and most honourably.

7854. (*Chairman.*) The north end of the Tower Bridge is not in the City, is it?—It will be in the City for the purposes of the Bridge, that is to say, it will be under the control of the City Police.

7855. (*Lord Farrer.*) But it is beyond the City limits?—It is beyond the City limits, yes; the City boundary ends at the Minories, and there is a very small piece, I think about 50 yards between that and the bridge, and that the Corporation will have the control over.

7856. (*Mr. Smith.*) By statute?—By statute, by the Tower Bridge Act.

7857. Geographically it is within the limits of the Liberty of the Tower, is it not?—Whitechapel.

7858. (*Chairman.*) That is the first bridge you have had anything to do with, the north end of which is outside the geographical limits of the City?—Yes, it is.

7859. The south ends of the bridges are all outside the City?—The south ends of the bridges are all outside the City.

7860. What are the limits of the City in the Thames?—Well, when this bridge has been erected it will be under the control of the Corporation. The bed of the river belongs to the Crown, I suppose, but in all these Acts, for instance, in the case of London Bridge, we have the control up to the abutments.

7861. On the Surrey side?—On the Surrey side; the same with the Blackfriars.

7862. (*Mr. Smith.*) And the bed of the Thames would be Crown property?—Yes.

7863. (*Lord Farrer.*) It belongs to the Conservators of the Thames, as successors to the Crown or the City.

7864. (*Mr. Crawford.*) The Corporation used to be Conservators of the Thames, and there was a dispute between the Corporation and the Crown as to the ownership of the bed of the river, but the Corporation settled that dispute by an agreement made between the two bodies, by which a certain sum was paid to the Crown, and eventually that was followed by the Act of 1857 which created a new Board of Conservancy.

7865. ((*Mr. Smith.*) I rather wanted to get an answer to Lord Farrer's question whether it goes to the middle of the river, whether the City claims the right of an ordinary riparian proprietor.

7866. (*Mr. Crawford.*) I am sure that could not be so under the terms of the Act, and there was a special agreement come to, embodied in a subsequent

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statute?—The Corporation paid the Crown for erecting the abutments on the foreshore.

7867. (*Chairman.*) And the foreshore and the river above the City belong to the Crown?—Yes.

7868. When the Thames Embankment was built the foreshore was claimed by the Crown?—Yes, by the Crown. The Corporation paid the Crown for the erection of the abutments of the Tower Bridge on the foreshore.

7869. (*Mr. Smith.*) Then you have no rights probably as to the shore itself?—I think not.

7870. (*Mr. Crawford.*) Could you give me a reference to the clause in the Act which compels the City to pay off so much per annum? I was under the impression that that was a voluntary arrangement on the part of the City?—It might be a voluntary arrangement. I think you are right. I think it was a voluntary arrangement.

7871. I think it was?—Yes, you are quite right; the Corporation raised a larger sum of money than was required for the actual wants of the bridge; on this ground the Committee of the House of Commons thought that the interest of the bondholders should be looked after; therefore the old bondholders should be paid off. Then they paid off all the old bondholders on the Bridge House Estates, and raised a larger loan which provided for that as well as the expense of the bridge. As I have just said, now these bonds are drawn every year in the month of March.

7872. (*Mr. Smith.*) The Bridge House Estates, I suppose, are able easily to make their annual payments; they have no other demand on the finances of the Corporation?—None.

7873. It is not like the City's cash which is liable to a number of demands for services?—No, it is strictly administered for the purposes of erection and maintenance of bridges and other powers and duties that the Corporation have under Acts of Parliament.

7874. So far it is conducted on the principles of sound finance?—Yes.

7875. (*Mr. Crawford.*) The Act of 1885 gave an alternative to the City; they could either borrow under the ordinary clauses of the Act or under the Local Loans Act of 1875?—Under the Local Loans Act of 1875, which required that the loans should be repaid within 60 years, which is the period under the previous clause, but it is a voluntary arrangement on their part.

7876. (*Mr. Smith.*) They borrowed on an actual mortgage of their freehold estates.

7877. (*Mr. Crawford.*) Yes.

7878. (*Mr. Smith.*) That is not quite the same thing.

7879. (*Lord Farrer.*) I suppose there would be nothing to prevent the Corporation coming to Parliament and saying: "We have all the bridges that are "necessary and all the ferries that are necessary. "There are certain other purposes in which London is "very much interested; we ask Parliament to allow "us to apply these funds to those purposes"?—No doubt they could; but I think there will be many opportunities for making ferries and tunnels for a good many years to come before we apply to Parliament for that.

As Comptroller and Vice-Chamberlain I have to try the apprentices in the absence of the Chamberlain; and I thought, that from what fell from Colonel Sewell yesterday, that the late Home Secretary thought that was a court that was very beneficial, and my experience is that the court is most beneficial in the interest of the apprentices. It is really an open court; but of course no one knows when it is going to be held, so very few people come except those who are interested. The apprentice is not brought up before the police magistrate, which is the case outside the City; he is brought before the Chamberlain or myself, and no one knows that he has been sent to prison, it is kept perfectly quiet, and the boys' character is not in any way damaged.

7880. (*Mr. Smith.*) As far as apprentices are concerned amalgamation would seem to be desirable, so that your jurisdiction should be extended?—I cannot tell you about amalgamation outside the City, but it is the feeling of the Corporation, I think, that it would be very desirable to have the jurisdiction of this court extended.

7881. I only seized upon it as the first word I had heard from the City in favour of amalgamation.

7882. (*Mr. Crawford.*) You have been acquainted, of course, with the finances of the City for a great number of years?—Yes.

7883. And the mode in which the accounts are kept?—Yes.

7884. Can you tell us whether there has been any expression of approval on the part of any Government authority with regard to the mode in which the City's accounts are kept?—I have always heard that some years ago there was a Committee of the House of Commons upon the mode of keeping the Government accounts, and they recommended that they should be kept in the same way as the City's accounts were kept; that is to say, they would adopt the mode of "charge and discharge."

7885. Now with your knowledge of the Corporation's assets and liabilities outstanding, for you have the preparation of the bonds, do you agree with Mr. Payne that at the present day the financial position of the Corporation of London is better really than it has been for some years?—Certainly; far better.

7886. And that there is more than ample security for any outstanding loans?—Ample security; any one who advanced money on City bonds would be perfectly safe. I may say that my uncle—who was formerly Comptroller—by his will authorised his executors to invest money in City bonds. As he had been Comptroller for 50 years he knew all about the finance of the Corporation and was evidently satisfied with the security.

7887. You are aware that it is constantly the practice with the Court of Chancery to authorise the Corporation trustees to invest in City bonds?—Certainly.

7888. And is it not also a fact that in connection with the various Market Acts and otherwise the accounts of the Corporation have been continually brought before committees of the Houses of Parliament, and the late Chamberlain examined in regard to them?—Yes, certainly.

7889. (*Lord Farrer.*) I think we were told that the City had been considering the question whether, if their expenditure increased, they would be able to supplement their revenues by a rate?—No, I do not remember that. There was some talk some time ago of making a rate for the expenses of the lunatic asylum, and it was brought before the Court of Common Council, I believe. I think I am correct in stating so, and the Court of Common Council said, "No, we "will not charge the citizens of London for keeping "and maintaining the lunatic asylum; we will keep "it out of own funds," and they have been paying for it ever since.

7890. I think Mr. Payne told us, that last year they had been considering the question, and he thought there was 57,000*l.* a year which might be raised by rate, if necessary.

7891. (*Mr. Crawford.*) I think that arose in this way, Lord Farrer. It arose in reference to the dispute between the City Guardians and the London County Council, as to what should be thrown on the general county rate in London. It was found that there were certain matters hitherto included by the London County Council by mistake in their county rate, which, being exempted, necessitated the making of a special county rate; and that these matters, supposing they had been met by rate, would amount to the sums Mr. Payne mentioned, and would be met, as he says, by the City out of a county rate. But there has been no desire or intention on the part of the Corporation to avail themselves of the power. That is what I gathered.

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7892. (*Lord Farrer.*) Could you (I asked the question of Mr. Payne yesterday), give us a statement on one sheet of the whole liabilities and assets of the City, including in that all the matters for which the City is liable?—I heard Mr. Payne's evidence. I think he said he would apply to the Committee for that—for their sanction.

7893. He represented the Chamberlain. But could you give it us if they consent, or would you prefer that we should ask them?—I think, sir, it would be better for you to ask for it, and then it would be submitted to the Special Committee.

7894. We have not any such statement on behalf of the City anywhere, whilst in the case of other corporations we have a distinct statement of assets and liabilities; we have no such statement in the case of the City?—Well, the City have so much land, I suppose they would have to have the land valued.

7895. That is an asset, of course?—An asset; from my own knowledge and my own experience I should say that the Corporation have ample assets.

7896. Well, it would be very satisfactory to have that?—Not the slightest doubt; large assets.

7897. If that is so as you stated, it would be very much to the advantage of the City if you were to publish such an account?—Mr. Payne stated that he had authorised an application.

7898. (*Mr. Crawford.*) What I suggested was that we should send a formal communication to the Town Clerk to furnish the Royal Commissioners with such a statement—give it officially—I think that would be the better way of doing it?—I think you would get that very easily if you took the rents of the City and put them at 27 years' purchase.

7899. (*Mr. Smith.*) More than that?—More than that.

The witness withdrew.

Mr. A. Murray.

Mr. Andrew Murray, the City Surveyor, called in and examined.

7900. (*Chairman.*) You are the City Surveyor, Mr. Murray?—I am, sir.

7901. How long have you held that office?—About three years, nearly.

7902. Had you any connexion with the City before that?—Yes; I have been nearly 40 years in the service of the City; for 17 years before I was appointed Surveyor I was Chief Assistant in the same office.

7903. You have worked up to your present position?—Yes.

7904. Will you tell us what your duties are?—Briefly, I have to attend all meetings of the Court of Aldermen and the Court of Common Council, and the several committees; and during the last year I find I attended some 146 meetings, and made about 500 reports. My duties generally are those of an architect and surveyor—making surveys and valuations of the estates, and advising as to lettings; preparing all plans necessary for leases, and surveying property agreed to be let to see that the terms of the contracts whether for new buildings or repairs are carried out; directing sales of old materials, settling questions of party walls and other matters of dispute between tenants; examining all drawings relating to intended new buildings and improvements, and regularly every year surveying premises the leases of which are expiring within the next three years, and preparing schedules of dilapidations thereon.

7905. Your duty extends to all the property of the City—whether City lands, Bridge House Estates, or of any other character?—Or of any other character.

7906. What is the gross number of houses and offices you have to look after?—Well, the total of all kinds is something over 5,000—5,467 buildings—houses, warehouses, shops, and other descriptions of buildings.

7907. What is the exact method of supervision you carry out?—Well, on an agreement being entered into, whether for a building lease or a rack rental lease, the premises, the works, are supervised regularly within the term allowed in the agreement. To a building lease we generally allow 12 months, and three or four times during that period the building would be supervised by myself or one of my assistants, and the state of matters reported. Similarly, but within a shorter period, with rack rental houses as to repairs.

7908. You inspect the houses from time to time that are out on lease. That is to see that the covenants of the lease are observed?—Yes.

7909. Have you had trouble on that matter?—No, on the whole. There are always some people you never can get to do anything.

7910. Has the City suffered in past times by negligent supervision?—Well, I think in past times the supervision was not so rigorous as it should have been, especially in the case of smaller property which was let in blocks to the class of house-farmers who are generally more or less an impecunious class, and if they do not do the works at the time there is no chance of getting repairs or money out of them.

7911. You had middle-men?—Middle-men, yes.

7912. Have you any middle-men now?—Well, we have some, but on the expiration of leases comprising small-class property, the Committee has decided to take it in hand, to see to the property, and collect the rents directly.

7913. You keep as much as possible in direct relation with the occupier?—Yes.

7914. And your leases contain covenants against assignment without consent?—Yes.

7915. And against sub-letting?—No; not against sub-letting.

7916. But in a case of sub-letting, do you look after the original lessees?—Yes.

7917. Pretty closely?—Yes.

7918. And have you much to do in connexion with exchange, or selling, or buying?—Yes, not lately. Under an Act of Parliament, for a railway or otherwise requiring property, we should have to sell under the powers of that Act in the same way as where we promote Bills to buy.

7919. And sometimes you have exchanges?—Sometimes we have exchanges between ourselves and other bodies or other owners.

7920. Have you had work to do of your own in the way of building?—Yes.

7921. Or repairing?—Well, we have a great deal of repairing; some of our own jobbing work repairs is done by a staff under my own direction. New buildings are done by contract always. Constantly some business is going on. During the past year we have had a new school for girls—Ward's school.

7922. A what school?—A Ward's school. It was built by money left for the purpose by Mr. Ward.

7923. (*Mr. Crawford.*) It has been erected on land given by the Corporation?—It has been erected on land given by the Corporation, at a cost of some 7,000*l.*

7924. (*Chairman.*) And you have built it?—Yes, we are building it now.

7925. (*Mr. Crawford.*) Where is it?—In Carmelite Street on the Embankment. There is some improvement always going on, in the Guildhall, in the construction of a new City Green-yard, and other improvements: and the City of London Court is being extended.

7926. (*Chairman.*) What proportion of your work do you do yourself, and what proportion by contract?—Well, during last year I see the work done with our own labour and materials, amounts to nearly 14,000*l.* I should think work done by contract on an average was about 8,000*l.* to 10,000*l.* a year.

7927. Do you do your sewers by contract?—The sewers of the City are under the control of the Commissioners of Sewers.

Mr. A. Murray.

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7928. (*Lord Farrer.*) You have nothing to do with them?—No; all we have to do with are drains in public buildings, but not public sewers.

7929. (*Chairman.*) Have you not laid out more than you say? Just look at your last page? Ward's school cost nearly 16,000*l.*?—I beg your pardon, I thought you alluded to repairs. Those are new buildings.

7930. Matters of repairs 14,000*l.*, and put out by contract?—By competition.

7931. What amounts would you say in the way of repairs?—I think for the last three years that has amounted to 30,000*l.*, what may be called special repairs, put out to contract.

7932. Are you increasing your own staff or diminishing it, or keeping it pretty steady?—No, keeping it pretty steady. During last summer 80, 90, or 100 men—painters principally—were employed. I shall have to do so again.

7933. What will you have to do with painters at this time of year?—I am sorry to say send them away.

7934. Do you not keep a few?—No; they are taken on as a contractor would take men on, and paid off when not required.

7935. (*Lord Farrer.*) Do you wish to extend the system of doing things yourselves?—No. I think it is preferable to confine it to jobbing work—repairs. When you get into big contracts you get into a question of plant. That is rather a serious thing. I might have sufficient plant for one work, say a Ward's school, but it might be all occupied with that, and if another large work were taken in hand next year I might have nothing to go on with. My own experience is that in repairing work, the labour is in much larger proportion than the material, and it is really more economical to employ workmen directly. But, of course, a great deal depends on the honesty and energy of the supervision over the men personally.

7936. There is not much deviation about the amount of your jobbing?—No, there is not much deviation now, but, owing to the repairs of some property we took over a few years ago, it ran out pretty highly; now we have got down to a normal condition of things.

7937. (*Mr. Smith.*) What you say about plant is very much affected by the size of the area—the magnitude of the undertaking?—That is to say, I might have plant very well suited for the one case, but utterly unsuited for the other.

7938. I do not mean that. I mean supposing that while it might be inexpedient for you over a small area, to embark on an expensive plant, it might be worth your while if you had a very large area?—Oh, well, if you anticipated year by year that you were likely to have a certain amount to be spent on new buildings, then it would pay very well.

7939. It turns on that. If you had a hundred square miles instead of one square mile, you would be morally justified in keeping up building plant?—Yes, but it depends on that. It is an unknown quantity, more or less.

7940. You are not decidedly in favour of the system at all?—No, decidedly no.

7941. (*Mr. Crawford.*) There is no difficulty, I believe, in getting rid of City property; letting it?—No.

7942. You find no difficulty?—No, I find no difficulty, as a rule.

7943. Property is rapidly snatched up?—Yes, it is sure to be taken.

7944. And I think great care is taken to get the highest value?—The highest value. They generally get more than my estimate.

7945. (*Chairman.*) You are a popular landlord, are you?—Yes; I think people are generally very willing to come under the Corporation of London; we are not very hard.

7946. (*Mr. Crawford.*) Would you kindly tell the Commissioners the steps which have been taken by the Corporation in connection with Artizans' dwellings?—The first step taken by the Corporation in the matter was some 30 years ago, or nearly so, in the Farringdon Road. A provision was made in the Clerkenwell Improvement Act for artizans' dwellings, and the Corporation built a large block at the North end of the Farringdon Road. It was then called Victoria Street. I think there are over 200 shops and houses there. Then the next step was a smaller block, under one of the Holborn Valley Improvement Acts, for somewhere, I think, about 40 dwellings. Then, since then, a very much larger number of small houses, most of them on the Bridge House Estate, have been taken in hand directly instead of the middle-man being invited to tender, as used to be the case. I think on the Bridge House Estate there are nearly 300 houses. And then under the Tower Bridge Act we were bound by the usual clause in the Act to make some provision for the working classes, and we took a large block of buildings in Tooley Street at 600*l.* and odd a year.

7947. (*Chairman.*) Have you filled that block?—No, we have waited to see whether the people would come in. Very few have come in indeed. I do not suppose there is a dozen.

7948. (*Mr. Smith.*) From that immediate locality?—From that immediate locality. There was a reason for that. A large number of them were people getting their living by washing. Those people did not want to go. They said there was no accommodation for washing, drying, and that sort of thing.

7949. (*Mr. Crawford.*) In those cases I think they received compensation?—In most of those cases we have compensated.

7950. Besides the many duties already referred to, I think it is one of your duties to report upon plans submitted to the licensing justices for alterations?—Yes.

7951. Also under the Petroleum Acts to examine premises, and report upon applications?—Under the petroleum Acts—yes.

7952. I think you have a great deal to do in connexion with City markets?—Yes.

7953. Am I right in saying that for the last few years the Corporation have been always extending their markets, and that there has only recently been finished an extension of the Central Market?—The extension of the Central markets, the new fruit and vegetable section was finished by me after the death of my predecessor.

7954. Could you tell us very roughly what you estimate would be the value of the property of the Corporation?—Well, I do not know that I can give you that now. Some years ago I worked it out for the late architect; of course, since that reversions are coming forward which would raise that sum. I do not think I have it though.

7955. At all events, if instructed, there is no difficulty in giving a statement?—No difficulty in giving it if I have the time to work it out.

7956. So far as you are able to judge, with your knowledge of the property, is there ample security?—Oh, yes.

The witness withdrew.

Mr. T. Roderick.

Mr. THOMAS RODERICK, Secondary of the City of London, called in and examined.

7957. (*Chairman.*) You are the Secondary?—I am.

7958. What are the duties of your office?—Would you allow me to explain the term "Secondary?" I am rather anxious, Mr. Chairman, to first explain the term "Secondary," if you will allow me. I will just read what I have written. "It must be first understood that "the Shrievalty of the City of London belongs to "the Corporation in fee. On Midsummer Day the "Livery elect two persons to be Sheriffs; but as the

" Corporation is alone responsible to the Crown for " all the duties of the office of sheriff, it follows that " the Corporation, to protect itself, must appoint the " subordinate officers, as the judge of the Sheriffs' " Court (now the City of London Court), who is the " principal Under Sheriff of the City, and the Secon- " dary who is the second Under Sheriff. Formerly " the Common Council appointed two Under Sheriffs " or judges of the Sheriffs' Courts for the discharge " of the judicial business, and two Under Sheriffs or " Secondaries for the discharge of the administra- " tive duties of the office of Sheriff. In much earlier " times each Sheriff had two clerks. The terms " Secondary and Under Sheriff are synonymous: the " distinction of the office is of the Corporation, " judicial and ministerial, thus the first clerk is " Judge, the second clerk is the Secondary." I rather mention that because the term " Secondary " practically conveys no meaning of the office.

7959. You are the second Under Sheriff of the City?—Yes.

7960. Discharging the ministerial duties?—Yes.

7961. What are those duties that you discharge?—I execute and return all writs and processes directed to the Sheriffs of the City of London. Writs of inquiry issued out of the High Court are held in the Secondary's Court before the Secondary and a jury sitting at Guildhall. I also inquire into the responsibility of persons offered as bail. I attend the sittings of the Courts at *nisi prius* for the trial of City actions at the High Court of Justice, and I attend the sessions at the Central Criminal Court during the trial of the City of London prisoners. Then it is also my duty to obtain from the authorities a list of jurors and to prepare such jury list, and also the lists for the Court of Queen's Bench, Central Criminal Court, Mayor's Court, City of London Court, and my own Court, the Secondary's Court. And then it is also my duty to execute precepts for empanelling compensation juries. These precepts are issued by railway companies and Government departments to the Sheriffs of the City of London under the Lands Clauses Consolidation Act, Post Office Sites Act, and special Acts. I also superintend and direct the duties to be performed by the Sheriffs' officers and the yeomen ushers, *i.e.*, Court ushers.

7962. (*Mr. Crawford.*) You omitted one important duty, you yourself holding inquiries with a jury assessing compensation?—Well, I rather missed that because I thought I should be asked that question. I did not want to quote my proceedings as a judge.

7963. (*Chairman.*) How long have you been Secondary?—Since 1884. Shall I go on? Then I attend the Queen's Remembrancer, with the City Solicitor, on the receipt of warrants of approval of the new Sheriffs by Her Majesty; I also attend before the Queen's Remembrancer on the 31st October to render the accounts of the Sheriffs of London, and give such assistance as may be necessary in passing the same. Then I levy and collect all fines and forfeited recognizances in the City of London, and hand over the proceeds to the City Solicitor as the City Bailiff.

7964. (*Mr. Crawford.*) What is the title of the Corporation to those?—The Corporation is entitled to all fines, forfeitures, and amercements, and also recognizances and securities for keeping the peace, by the Charter of King Edward III., dated 6th March 1327, and by the Charter of the 23rd Henry VI. By the first Charter of Charles I. all recognizances forfeited at any Session or Sessions of the Peace, holden for the City of London, are granted to the Mayor, Commonalty, and citizens of the City of London. The Sheriffs, under the custom of the City, were allowed to take these fines, &c. as part of their emoluments, but an Act of Common Council of the 28th October 1869 was passed abolishing this custom. The 22nd and 23rd Charles II. cap 22, which regulates the levying of fines, &c., due to the King, contains a clause saving the rights of the City. The 3 George IV. cap. 46, gives a right of appeal to Quarter Sessions with regard to forfeited recognizances, and also contains regulations for Sheriffs levying fines, &c., and section 16 saves the rights of the City.

7965. (*Chairman.*) Now further, you superintend and conduct the parliamentary elections, the elections of the Lord Mayor and Sheriffs, and other elections in Common Hall?—Yes.

7966. And you perform what is necessary with respect to registration?—Yes.

7967. Both for parliamentary and municipal purposes?—Not for municipal purposes. In the City there is a ward list; that takes the place of a municipal list in the City.

7968. Parliamentary and Common Hall?—The Common Hall list is a list of the Liverymen who are entitled to vote in Common Hall.

7969. And School Board elections?—Yes, I am the deputy returning officer for that.

7970. And also for County Council elections?—Yes, I am deputy returning officer for the County Council, both for the City and the Borough of Southwark.

7971. You are the High Bailiff, apparently, of Southwark?—I am the High Bailiff of Southwark, yes.

7972. What staff have you got for all your offices?—Well, I find my own staff; I am paid by fees, and it is part of the conditions of my office that I find my own staff, the Corporation finding me with an office.

7973. The system of payment by fees has never been altered?—No.

7974. (*Mr. Crawford.*) I think all Under Sheriffs are paid by fees, are they not, Mr. Secondary?—Yes; it has been held that the fees of the shrievalty cannot be farmed.

7975. (*Chairman.*) As High Bailiff of Southwark have you anything to do with the county of Surrey?—No; nothing whatever.

7976. Or Kent?—No, Southwark was in the County of Surrey till the passing of the Local Government Act, which took that part of Surrey into the County Council.

7977. (*Mr. Crawford.*) The Administrative County of London?—Yes.

7978. (*Chairman.*) You have to attend the assizes in Surrey?—Yes, I never have; I have never been called upon to attend.

7979. It is a liability, is it?—Yes; if there was anything that required me to attend, of course I should have to, but I have not been called to attend yet.

7980. (*Lord Farrer.*) And there are practically no duties in Southwark?—Yes, they are connected with the Leet Jury Lists and also the Quarter Sessions. I summon the jury to the Quarter Sessions, but for some years there has been no business practically; all the Quarter Sessions business which was originally held in Southwark goes to the Newington Sessions.

7981. Apparently you are Deputy Returning Officer for the County Council elections on that side of the water?—Yes, I am, so far as the Parliamentary Borough of Southwark is concerned.

7982. (*Mr. Crawford.*) Only one or two questions, Mr. Secondary; I believe that from time to time you do have important inquiries, compensation cases, before you?—Oh, yes.

7983. And there have been large verdicts given?—Large verdicts, yes.

7984. I do not want to trouble you to give particulars. Am I understating it when I say verdicts from 15,000*l.* to 30,000*l.*?—Yes.

7985. And now and again Queen's counsel appear before you?—Yes; I have often had Queen's counsel appearing before me; the Attorney-General, the Solicitor-General, Mr. Fletcher Moulton, and others.

7986. Have there been any appeals from your decisions?—I have had only two cases; they appealed, but failed to upset my judgment.

7987. Besides being Secondary you are also Registrar of the London Chamber of Arbitration, I think?—Yes.

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7988. That is a Chamber which has recently been established by the Corporation in connexion with the London Chamber of Commerce?—Yes, established about 12 months ago.

7989. It is established at the expense of the Corporation, and it is now beginning to get a flourishing concern, I think?—Yes, I feel sure it will be; it is only a question of time.

7990. (*Chairman.*) Do you find time to attend to that?—Well, at present there is very little to do. I superintend it.

7991. (*Lord Farrer.*) Is the business increasing?—Yes, I think it is; but we must wait some short time for the new clauses that are being put into contracts referring disputes to the London Chamber of Arbitration to come into operation; we must wait for the disputes to arise.

7992. (*Mr. Crawford.*) What you mean by that is that recently there was an important meeting of mercantile men, convened by the London Chamber of Commerce, which unanimously adopted a resolution recommending the clause referring disputes to the London Chamber of Arbitration, and you are anticipating from the introduction of that clause a large increase of business to the Chamber?—That is so, and I believe that the New River Company and other companies have inserted it in all their contracts.

7993. Have you also had one or two references from the High Court?—Two; and I have had one under this very clause.

7994. (*Mr. Smith.*) Would there be any chance of the Chamber of Arbitration succeeding in getting rid of some of those Courts that we have heard of this morning?—I cannot say; the cost averages about 5*l.* to 6*l.* a case.

7995. The City of London contains one square mile, and it seems to have a good many courts in it; I asked whether any of those might be dispensed with if that Court of Arbitration succeeded equal to your expectations?

7996. (*Mr. Crawford.*) That is a matter for litigants?—It is impossible to say; if the business came into the Chamber of Arbitration and so took it away from the Courts, of course you can form your own conclusion that there would be no business to carry on at all.

The witness withdrew.

Mr. S. F. Langham.

Mr. Samuel Frederick Langham, Coroner of London and Southwark, called in and examined.

7997. (*Chairman.*) You are the Coroner?—I am.

7998. And you have seen this book put in by the Corporation?—I have.

7999. You have read the portion referring to the Coroner?—I have.

8000. And it is accurate?—Quite so.

8001. Have you got anything more to say except giving the figures of what has happened since that book was drawn up?—Which I hand in.

The witness withdrew.

(*Table handed in by Mr. Langham.*)

Number of Inquests held up to 24th day of June 1893 in City of London	1,689
1893, 25th June to 31st December, number of inquests held in City of London	101
1894, 1st January to 17th January	7
Total number of inquests	1,797

Number of Inquests held up to 24th day of June 1893 in Southwark	2,402
1893, 25th June to 31st December, number of inquests	169
1894, 1st January to 18th January	20
Total number of inquests	2,591

City of London Fire Inquests where no loss of life occurred, held up to 24th June 1893	59
1893, June 25th to 31st December 1893	8
1894, January 9th	
Total number of inquests	68

Mr. J. Salmon, F.S.S.

Mr. James Salmon, F.S.S., a Common Councilman of the City of London, and a member of the Special Committee of the Corporation, called in and examined.

8002. (*Chairman.*) You are a member of the Corporation, Mr. Salmon?—Yes, sir.

8003. Councillor for the Coleman Street Ward?—Yes, Coleman Street Ward.

8004. You have not been very long apparently connected with it?—Since 1887.

8005. And you have been concerned in taking a day census?—As Chairman of the Local Government and Taxation Committee, I was deputed by my Committee to take a day census.

8006. Particulars of which are given in the Blue Book on page 316?—That is so.

8007. Have you read those particulars?—I have.

8008. And they are accurate?—Quite.

8009. And they represent the fruits of your labour?—That is so.

8010. You consider that a valuable result?—I think so. I think so, because the Imperial Census is most misleading; and therefore I considered it was very necessary that the Corporation should take a day census to arrive at the actual position of the City.

8011. That was not the first day census taken?—No; there had been two previously.

8012. It brings out the fact that there are a great many more people in the City in the day than in the night?—Oh, considerably; in fact, London is untenanted, except for housekeepers—caretakers—at night.

8013. And it is desirable that we should realise that fact. Have you any special grounds of utility to point out for this census which are not pretty obvious?—Yes, I made a very strong point in the book which I published for the Corporation—that as London is increasing to a very large extent, the approaches to the City will be quite inadequate presently for the accommodation of traffic; and also that the creation of new streets has been delayed through the absurd—in my opinion, very hasty—legislation in the repeal of the Coal Dues. It has prevented our using money—a tax which no one felt—for the purpose of improvements in the City; and we find ourselves to-day in the position of not having money to make improvements, which we should have if we had had the Coal Dues.

8014. There does not seem to be any close connexion between that and the day census?—I think that the connexion is that the day census proves that the street traffic is so great, especially in some places, such as Liverpool Street and Broad Street, where about 100,000 people daily leave the three stations and, of course, about a like number return, that some improvement must be made to meet the growing vehicular and pedestrian traffic.

8015. Alterations which are very extensive?—In fact, the City desired to be informed where this great increase of traffic came from, that is to say, what were the streets mostly used; and in the book which I published, of which copies are here, I point out the various inlets into the City; and taking London Bridge—London Bridge is about the heaviest traffic

8016. (*Mr. Crawford.*) Well, you give here 107,421 passengers entering on that particular day, the 4th of May?—Yes, that is so.

8017. And Blackfriars Bridge, 69,888, and Southwark Bridge, 19,345; or a total of 196,654?—Yes.

8018. Comparing that with 1881, the figures for 1891 show an increase as follows:—London Bridge, 28,478; Blackfriars Bridge, 26,321; Southwark, 4,300, or a total increase of 50,099, or something like an increase of 140,000 in the 10 years?—That is so.

8019. Can you tell us the nature of the decrease in the night population since 1861?—The nature of the decrease?

8020. Yes, the extent of it. I see you make reference to it on page 2, I think?——

8021. (*Chairman.*) Is not that given on page 319 of the Blue Book?

8022. (*Mr. Crawford.*) Yes, in 1866, I see it was 170,133; in 1881, 261,061. That is the day census.

8023. (*Chairman.*) Immediately above is the Imperial Census—that is the night census.

8024. (*Mr. Crawford.*) There is another series of figures between 1861 and 1871. The Imperial Census states the population of the City to have been: in 1861, 112,063; in 1871, 74,897—decrease, 37,166; in 1881, 50,652—decrease, 24,245; in 1891, 37,705—decrease, 12,947?—Yes, the decrease in the persons inhabiting the City at night, of course. That is due to the increase in the value of land in the City. No one can afford to sleep in the City really; it is so valuable that it must be left for offices and other purposes. The inhabited house duty presses too so heavily on those who would remain in the City that they cannot afford to stay there. Besides this, the facilities for railway travelling, and the necessity of getting out of London after a hard day's work—all these things, I presume, have contributed very largely to bring about this difference in the population of the City at night.

8025. (*Mr. Smith.*) It is not confined to the City. The population of Central London is everywhere decreasing.

8026. (*Lord Farrer.*) It is spreading outwards?—That may be so.

8027. It is particularly so; and there is an outer ring outside the Administrative County of London which is increasing faster than that portion within, I think.

8028. (*Mr. Smith.*) It is the experience of almost all cities that when they once become thoroughly built over they begin to decrease. I think Liverpool is a case, is it not, Mr. Holt?

8029. (*Mr. Holt.*) Quite so.

8030. (*Mr. Smith.*) You must have more area, or you must decline.

8031. (*Mr. Holt.*) Quite so.

8032. (*Chairman.*) I think we have most of these facts, Mr. Salmon. Have you anything further to add?—No; I do not know that I have.

8033. (*Mr. Crawford.*) Do you bring out any fresh particulars here, which are not given in your book, or emphasize anything here which is not given in your book?—I do not think so. I desire to state here exactly what I have put into the proof I have handed to the Chairman.

8034. That is only the proof, and would not appear on the notes; it is for the guidance of the Chairman?—I can only regret——

8035. (*Lord Farrer.*) Are there any facts there which are not in this Blue Book?—Yes, I should think so.

8036. (*Chairman.*) Well, now, will you refer us to one?—It is rather difficult to do that; it will not take me long to go through this.

8037. I think you will find they have been anticipated already?—Well, I would especially point out for the moment—I do not know whether it appears in the Blue Book—I would especially point out that the imperial registration is decidedly unfair to the City, and that the necessity for taking a day census of London was to counteract the feeling which was brought about by the statement that London was inhabited only by a certain number of people, making it a very small place, whereas it stands at the head of 193 parliamentary boroughs. And then I would also point out——

8038. (*Mr. Smith.*) You mean in rateable value it stands at the head?—It stands at the head in point of population.

8039. (*Chairman.*) Well, what is the next thing you are going to point out?—That the necessity for taking this census was demonstrated, or rather was suggested by Dr. Farr, Superintendent of Statistics, in 1866, who felt that it was necessary that the Corporation should take some steps, and who stated before a Select Committee of the House of Commons, that the City of London was of much greater importance than it was made to appear by the figures contained in the imperial returns, and that persons having offices in the City, but sleeping out of it, ought to be taken into account.

8040. Those are the two things. Have you got the Blue Book before you?

8041. (*Mr. Crawford.*) May I remind you—it was not the main difficulty, which was that, as a rule, you have to pay according to rateable value, and population is taken into consideration to the disadvantage of the Corporation on allocation; hence it was considered only reasonable that the true population of the City should be shown?—That is so; I thought I had made myself clear.

8042. (*Chairman.*) Look at page 319 of the Blue Book; have you got it?—Yes, I have got it.

8043. You see what occurs there:—"The utterly "fallacious and misleading character of the mode of "taking the Imperial Census, as applied to the City "of London, becomes the more apparent the more the "results of the figures are examined;" and you give the rateable value above, and the comparative increase of the day population and decrease of the sleeping population below. Turning over the page 320 you get Dr. Farr's statement, which you have already given us. So that both the circumstances to which you now call attention are in the Blue Book?—That may be, sir; but I have been given to understand that the Blue Book needed verification, and that this was only the City's statement without any verification of facts. So I thought I was here as a witness to facts. No doubt it is set forth; but I attend to say that this

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Bule Book, so far as my report in it is concerned, is absolutely true.

8044. Yes, exactly; that is the verification that we want?—I understood you would only receive any first-hand evidence, and I am here as a first-hand witness.

8045. Precisely; and I have asked you the question, whether you have read these pages, and you have, and you say they are true?—Yes.

8046. Which, of course, is sufficient, we having these pages; and then the question arises, have you anything further to add to them?—I do not think I have.

8047. What you have stated, you see, is already in the Blue Book?

8048. (*Mr. Crawford.*) I think, Mr. Chairman, Mr. Salmon's idea was this: that, assuming the statement is to be annexed as part of the evidence put in by the Corporation, of course, no difficulty exists but, if that statement is not put in, you have something before you that will not appear on the Minutes of Evidence; and hence it was thought very desirable that these figures should be brought out, so that they might appear on the Minutes of Evidence?—Certainly; and I thought that they would be so brought out.

8049. You will be quite satisfied if what appears in this Blue Book appears on the Minutes?—Yes, quite so.

The witness withdrew.

Mr. F. S. Knott.

Mr. Frederick Singleton Knott, late Principal Clerk in the Town Clerk's Office, called in and examined.

8050. (*Chairman.*) You are an old servant of the Corporation?—I began in 1847, sir.

8051. What is your present position?—I am now, principal clerk in the Town Clerk's office; I have been so for some 12 years past.

8052. And have you special charge of the markets?—Yes, in addition to the duties which specially attach to me as principal clerk, I have for 19 years past—that is, from 1875—been directly charged with the Markets Department.

8053. Six markets?—There are six Corporation markets.

8054. Billingsgate?—Billingsgate, London Central Markets, Metropolitan Cattle Market, Foreign Cattle Market, Leadenhall Market, and Smithfield Hay Market.

8055. You have read what is contained in this Blue Book about these markets?—I have.

8056. Did you have a share in the preparation of it?—Very slight, sir, to some extent; I did see it afterwards, and I have read it all carefully. Details are more what I have looked at.

8057. Do you find them accurate?—I do.

8058. You have repeated them in a good many of the statements here, I think?—No doubt, in interpreting it, somewhat in the light that Mr. Salmon has explained to the Commission, that it was desirable for the purposes of connected history that the statement and any amplification of it should run consecutively.

8059. Can you call attention to any point where you amplify the statement?—With regard to Billingsgate Market, taking the statement as it appears in the Blue Book, page 184, and on the question of receipts, which follows later on—that is to say, on page 190—I was simply carrying it on as it appears in print to page 190, and towards the end it speaks of the receipts for 1891 and 1892. I desire to call attention to the provisions of Section 19 of the Act, which reads:—"All stallages, rents, and tolls——"

8060. (*Mr. Crawford.*) That is the Act of 1871?—1871. "All stallages, rents, and tolls received "under this Act by or on behalf of the Mayor, "Aldermen, and Commons shall be received by them "for the use of the Mayor and Commonalty and "Citizens of the City of London, and shall be paid "and applied as the Mayor, Aldermen, and Commons "from time to time direct." Upon that point, sir, I also desire to say as regards the finances of the markets, that in the year 1889 the Markets Committee had before them a petition from carriers of water-borne fish for a reduction of their rental and their tolls, and I now find from the report which was then presented that, after stating that the deputation had urged that the position of the steam-carrying companies was exceptional, it goes on to say that they are fish producers representing the bulk of the deep-sea fishing vessels, the fishermen sharing in the catch and receiving wages in proportion, and that the combination of circumstances, especially the market charges, pressed most severely upon the fishing industry; that the fish they brought to the market was for the most part offal fish bought by the poorer classes, and of necessity yielding but small margin of profit to the catchers. Then the Committee say upon that:—"We do not doubt "there is force in these representations, and that the "petitioners' case is one for special consideration." Then, after speaking of the actual rent which they pay, the report goes on to say:—"We have received and "annex hereto a valuable report from Mr. Chamber-"lain" (that is the late Chamberlain, Mr. Benjamin Scott) "upon market finance, especially as regards "Billingsgate and the Central Fish Market, explain-"ing the very sound principle which, as a rule, must "govern the action of the Corporation in its manage-"ment of the markets collectively. We entirely "agree in the terms of that report, but after full "consideration of the present petition we think, as "before stated, that the case justifies a reduction in "the rental. The limit of rental to be charged is "fixed by the byelaws, which have been sanctioned "and approved by the Board of Trade. At the "present time the Companies are charged at the rate "of 9*d.* and 8*d.* per foot super. for the space occupied "by them; this charge represents 2,316*l.* 3*s.* 4*d.* per "annum. We are of opinion that the case would be "fairly met if the rent were uniformly reduced to 7*d.* "per foot super., being somewhat over 20 per cent., "and we recommend the same accordingly." I desire to add the report of the Chamberlain, which is explicit as to his views, on the question of accounts. He says:—"In replying to your reference——"

8061. (*Chairman.*) Cannot you give us the substance of that?—Undoubtedly the main feature of that is that it states that "if the annual surplus upon "Billingsgate Market be set against the outlay for "providing additional accommodation for the trade "in fish, the total net deficiency will be 8,588*l.* per "annum. In submitting these figures I must guard "myself from being misunderstood as considering "each market as a separate trading venture of the "Corporation. One of the City's markets has shown "for many years past a large annual deficiency. "The tenants and traders of some of your markets "appear to expect that when a particular market "shows a surplus, the charges should be *reduced;* "but if this were the case, then in justice to the "City's creditors, the market charges should be "*increased* when there is a deficiency. The law "treats all the obligations of the Corporation as an "individual is obliged to treat them, and does not "permit (indeed it regards as criminal) the favour-"ing of one creditor, or set of creditors, to the "detriment of its other creditors. This being so, "the reduction of reasonable charges which have "been sanctioned by the Board of Trade, or the dis-"charge of any particular debt, cannot be considered "without reference to all the other obligations and "demands upon the Corporation." That, sir, is what I desire to append as regards the explanation of any difference that may appear on this statement between the receipts and the expenditure for any one particular year.

8062. (*Lord Farrer.*) What is the general result with regard to Billingsgate; does it pay its expenses?—The general result undoubtedly is that it pays its expenses, but I may state very briefly that the Royal Commission on Market Rates and Tolls, which issued its final report some two years ago, says with reference to Billingsgate, that a net profit of 1,400*l.* cannot be said to show that financial success which appears to have been the condition on which the promise of revision of rates was made.

8063. Is that after allowing for payment of interest on the debt?—I take it that it is so.

8064. But not for a sinking fund?—No, we have no sinking fund.

8065. You do not pay off anything?—No, not at the present moment. There has been no chance since that time. For instance, right away on, further expenses have from time to time been incurred for various purposes connected with the market.

8066. It might perhaps save time if I were now to ask you whether you have looked up Mr. Gomme's figures with respect to markets on page 17?—I have not looked to the figures; not the actual figures.

8067. (*Mr. Smith.*) The Chamberlain did not favour you with his views about the propriety of making a sinking fund for these markets?—No, he did not, sir; what I rather gathered to be the Chamberlain's view was that there was but one purse, one common purse, and that as a result not only were market surpluses available for the Corporation, but equally in the other event the deficiencies on the market must be met by the general fund of the Corporation.

8068. What was the net results of all this; apparently the Committee recommended a reduction of stallage?—Oh, there is no doubt that on that occasion a reduction was made. But it was rather on the general principle that I took the liberty of introducing this statement as showing the Chamberlain's view of what should be done with the rents and revenues, and that it was not a time to reduce the rents of a market when there was so very very small a margin of surplus after all.

8069. Do I understand that although the Chamberlain deprecated any alteration of the stallage the Corporation did reduce the rents?—I am not, sir, prepared to say that it was the Chamberlain's deprecation as regards that particular application, but rather generally that where byelaws had been approved, and byelaws sanctioned by the Government, that might be taken as a reasonable toll to be levied.

8070. I thought you read that communication of the Chamberlain as being attached to the Report of the Committee?—It is attached to the Report of the Committee, I have no doubt the object being to guard the Committee against making any very serious alteration.

8071. (*Mr. Holt.*) Is the whole of the space in Billingsgate Market occupied and let?—The whole of the space is occupied and let with the exception of a few stands which are in an exceedingly disadvantageous position.

8072. Otherwise the full capacity of the market is required?—Otherwise the full capacity of the market is required. From time to time the Corporation has been enabled, slightly, to increase the space in addition to the very considerable market that was re-constructed and opened in the year 1878, that is to say, later on, that which was built as a tavern was so altered that the space on the ground floor was utilised on account of the demands for space, and it was thrown in to the general purposes of the market.

8073. (*Mr. Crawford.*) And 10 years later there was a large outlay, was there not, in connexion with a block of buildings known as Billingsgate Buildings?—There was a very large outlay, and by no means a satisfactory outlay as regards the results which the Committee were led to expect from it.

8074. Was that at the instance of the trade?—That, undoubtedly, was at the instance of the trade. They made representations that they must have more accommodation, and the Committee at the time realising that they had done all they possibly could, and that the only alternative was to look elsewhere, said in effect "Very well, if that be so, we must "endeavour to see whether it can be met by space "immediately opposite." Billingsgate Buildings were erected, the rental of the ground is 2,430*l.* a year, and some 20,000*l.* was expended on those buildings themselves; they have been a loss from that time forward.

8075. (*Mr. Holt.*) They are considered a portion of Billingsgate Market, are they not, for the purpose of cash considerations?—They are for purposes akin to the market.

8076. But they are included in these accounts?—They follow on, sir, that is to say they are put here in the Blue Book.

8077. (*Chairman.*) Have you anything further to add with respect to Billingsgate?—I do not think there is anything more that I have to add.

8078. (*Mr. Crawford.*) Was it not in connexion with Billingsgate that the Corporation opposed the Stratford Market Bill?—There was a Stratford Market Bill and a Shadwell Market Bill.

8079. That was Stratford, promoted by the Great Eastern?—Stratford was promoted by the Great Eastern.

8080. And Shadwell is a Company for the sale of fish?—It is sometimes called the Shadwell Market, and sometimes called the London Riverside Market.

8081. I only want to ask,—this is a statement about our present markets; was that opposition entirely in the interests of the bondholders of the Corporation so as to protect the City markets?—No doubt of that, sir; the Committee had after a very considerable inquiry (that was also referred to here), come to a distinct conviction which they had held for some long time previous, that but one wholesale market was in the public interest, and that, of course, influenced them.

8082. Now, in connection with the sale of fish, I believe the Corporation, at great expense, and also at considerable loss, instituted what they then called the Inland Fish Market?—They did.

8083. That was in deference to the trade?—That was in deference to a great public outcry which the Corporation at the time said most positively they could not endorse, but that they were bound to respect. In their desire for the public interest they incurred the expense and tried the experiment.

8084. Unfortunately, the experiment was a failure?—That equally failed. I might say, as you have mentioned the case of the Stratford Market Bill, that I did see that Mr. Kemp made some reference to that being opposed. It would, perhaps, be fair to quote what was said at the time as an explanation of it. A report was presented to the Court, and there in the Committee said they felt that "if Bishopsgate Market was to be "established, that it should be established for the "benefit of the public at large, and not merely for the "benefit of the Great Eastern Railway Company, "and their view was that if it were opened under the "provisions of the Bill as it there stood, the Great "Eastern Railway Company would be able to get "monopoly into their own hands, and so far injure "Columbia Market (which is by statute a free and "open market) as to cause it to be abandoned, a course "that Mr. Burdett Coutts (the present owner) said he "should most certainly adopt unless an alteration "were made in the Bill. Upon such a contingency "occurring, your Committee then feared that the "public would find that they had lost Columbia Market, and the very great railway facilities obtained "for it last year, and had in lieu of it only the "Bishopsgate Market, to be opened as a monopoly by "the Great Eastern Railway Company for their own "private profit. It was, of course, no part of the duty "of your Committee to inquire how far the establishment of the Bishopsgate Market might or might not "pecuniarily affect either the owner of Columbia "Market or the Great Eastern Railway Company. "Their duty was simply to ascertain in what way the

Mr. F. S. Knott.

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"public would be most benefited, and to take such "steps as they considered most advisable on their "behalf. Your Committee therefore offered no op- "position to so much of the Bill as dealt with Strat- "ford Market." Those are the actual facts, sir, as recorded at the time. I do not know whether on that same point I might say with regard to Columbia Market——

8085. (*Chairman.*) I think that covers all that you have got to say there. Have you anything to say supplementary about the London Central Markets?—I may say, sir, as a matter of fact that when referring in the statement to the Newgate Market Act of 1861 and the discontinuance of that market, on the discontinuance of that market a fund of about 9,000*l.* was distributed under the Newgate Abolition Act of 1861. That does not appear, I think, actually in the statement. As regards the trade of the market, I may now supplement the figures in the statement by saying that for 1893 the number returned is 318,162, but having regard to 1892 having 53 weeks in the calculation, it may still be said to show a small increase on the previous year.

8086. Those are tons?—Tons.

8087. A slight decrease?—But practically an increase.

8088. But it is one week less?—Practically an increase, having regard to the fact that it is one week less.

8089. (*Mr. Crawford.*) What number of people are employed in and about these markets?—Very considerable number. I think it is stated there.

8090. I see it is stated here as 9,000?—I might also, sir, if I might be allowed, in addition to what appears upon the statement, refer to the report of the Royal Commission, in which they, in reporting upon the accommodation given in return for charges levied in markets, say "as an example of the higher kind of "accommodation in shops in the Metropolitan "Central Meat Market," it is held up evidently as a specimen of the higher class of shops.

8091. (*Chairman.*) They describe with approval the kind of shop you give to your tenant?—It is put forward as a model.

In connection with the Inland Fish Market, I may refer to the result of the extreme disturbance it necessarily caused in what had been done—the erection of the Fruit and Vegetable Market—first of all for one purpose, then diverted to another, and even in the end, the Fish Market having a building for itself erected quite supplementary to the other markets, each alteration of course involving an expense, in order to satisfy the public in a view which the Corporation could not endorse, and which afterwards they proved to be not the right view.

8092. Have you got anything more to which you wish to call attention?—I have added a note in reference to the question of retail markets.

8093. As you say, the Corporation do not oppose them?—I say undoubtedly they favour them rather than oppose them; the Corporation some years ago, that is in 1868, had before them an inquiry as to whether they, as regards daily vegetable, meat, and fish markets, should not take steps towards establishing them, and they go on to say that the result showed that at that time there were several retail markets in the Metropolis many of which, including St. James' Market, St. George's Market, Southwark, Hungerford Market, and Randall's Market, Poplar, had ceased to exist, as had also Fitzroy, Finsbury Market, and the People's Market at Whitechapel. This Committee go on to say "the fact being "as your Committee believe that the poorer classes "of the community do not as a rule resort to the "regularly established enclosed retail markets but "prefer purchasing the commodities they require at "the numerous markets formed by the congregation "of itinerant vendors of articles of food in the open "streets and roads in the various parts of the "metropolis."

8094. The Corporation did nothing?—The Corporation did nothing because——

8095. They held nothing was wanted?—Because it appeared to them that these retail markets were not wanted, that they made themselves according to supply and demand. There was one other point sir, upon that same question, an inquiry held before Mr. Spencer Walpole, Inspector of Fisheries, by direction of the Home Secretary, Sir W. V. Harcourt, M.P., Mr. George Stevenson, a well-known authority in the fish trade, and representing the firm of Forbes, Stuart & Co., a firm which has been in existence nearly a century and a half, gave evidence as follows: "I may take it that the costermongers are the great "distributors of the low-priced fish?—They are the "great distributors of it; they pay their money to "the salesman, and they supply hundreds and thou- "sands of poor families with wholesome food, who, "were it not for the costermongers, would not be able "to receive, and the costermongers and those who "smoke the haddocks have as much right to live as "we; in fact, we could not do without the coster- "mongers; neither fish, nor fruit, nor greengrocery, "nor any other commodity that comes in such vast "quantities at times, could be disposed of, without "the intervention and assistance of costermongers. "I have myself taken 800*l.* to 1,000*l.* before nine "o'clock in the morning from them, and every six- "penny piece is paid; and the vast amount of fish "which that money represents, has been sold to poor "people, who otherwise would not have got food "perhaps to eat."

8096. (*Mr. Crawford.*) He was in the Billingsgate Market?—This was in Billingsgate Market and in the early morning.

8097. (*Mr. Smith.*) I do not see that all that affects the problem which we are sitting here to decide. All that is very favourable to the Corporation. I think they have been very liberal to the markets, but the constitution has been limited.

8098. (*Chairman.*) It is a matter of the past.

8099. (*Lord Farrer.*) I do not think there has been any attack upon the Corporation for their management of the markets; I am not aware of any?—Well, I am not suggesting that as answering any attack made; but it is rather offering an explanation which apparently, up to this time, has not been given.

8100. (*Mr. Smith.*) I fail to see the relevancy upon the problem which we have before us.

8101. (*Lord Farrer.*) You do not come here to tell us anything about the general finance of the markets, and the relation of that finance to the whole finance of the Corporation?—I do not. What I say is, it is the common purse of the Corporation, except where it is specially provided for. The Foreign Cattle Market, of course, is not taken as being one of the City's markets, in that case, undoubtedly, as far as it goes, as the book says——

8102. (*Mr. Crawford.*) I think rather one of the objects is to show that there is no reason whatever to deprive the Corporation of its control of the markets; it is common knowledge, it has been suggested that these markets should be made over to the London County Council, it is just as well that the Commissioners should be seized of the facts relating to the City's management of the markets; I do not see how it can be entirely irrelevant to this inquiry when such a proposition is put forward.

8103. (*Mr. Smith.*) That is assuming that the City and the London County Council are to be two bodies in the future, that I take it has already been settled for us by the Government.

8104. (*Mr. Crawford.*) That has only been an assumption for argument's sake.

8105. (*Mr. Smith.*) It is not a practical question for us?—I may venture to say, sir, that as a matter of my personal experience, undoubtedly the provision made is very much appreciated, and certainly we are not without applications from provincial cities and towns, and from continental cities, that they may

themselves have the advantage of seeing the way in which our markets are constructed and managed.

8106. We were very much indebted to you in Birmingham for the visit of our committee the other day. No doubt your markets are very good?—Yes, sir. With regard to the Metropolitan Cattle Market I have little, that I need trouble you with, beyond that which appears in the statement, except incidentally I may say that in the Metropolitan Cattle Market there is a loss every year, which results from the fact that occasionally disease breaks out, and then of course not only is the market suspended but works are required. I wish to add that there are two, or were two, very large buildings put up at the time under the impression, when the market was first opened, that these buildings would be wanted as taverns for the convenience of those coming to the market. It was found that it was not so, and they were diverted to improved dwellings, and I do not see any note on the statement with reference to these improved dwellings, therefore I desire to place before the Committee that, in addition to these dwellings, the Corporation has gone into the question of model dwellings many years ago, and I venture to say are pioneers in the movement. Sir Sydney Waterlow, at the time a member of the Corporation, 30 years ago, started the question: Corporation Buildings were erected, and the Corporation demonstrated the fact that such buildings can be erected without endangering the personal respect of the working man, and to pay something like 4 per cent., and from that time to the present improved dwellings have been increasing in number.

8107. (*Mr. Crawford.*) I am sorry, Mr. Smith, I could not help overhearing the remark just addressed by you to Lord Farrer, as to calling all the officers of the London County Council. If it was intended as a reflection upon the Corporation for calling so many of their officers, I must say I think it perfectly unjustifiable. The Corporation was asked by us to give evidence at first hand. May I remind you, Mr. Chairman, in justice to the course which the Corporation has taken in preparing the witnesses' evidence for you, that the very first clause in the letter which we addressed to the Corporation on the 20th December, says, "My Commissioners desire me to express their "satisfaction at your resumption to-day of the "evidence in relation to the Blue Book put in by the "Corporation, and at the intimation they have "received from you that this evidence may be followed "up by similar evidence from other officers of the "Corporation specially acquainted with particular "subjects treated of in the Blue Book." Then the Commissioners express the hope that the Corporation would have so prepared the evidence. It is matter of surprise to me that any Commissioner should suggest to-day after that statement in our letter that time is almost being wasted by going on with this evidence.

8108. (*Chairman.*) It is only a question of the extent to which it is done and the amount of matter introduced. All this is very valuable and good so far as the additional evidence clears up what is here or suggests something relevant to our work. It is extremely desirable, but I am afraid in the proof of this witness there is a good deal that we are not concerned with.

8109. (*Mr. Crawford.*) It is in order that the Commissioners may have the fullest possible information.

8110. (*Mr. Smith.*) The expression "evidence at first hand" has been a good deal misunderstood. The first time that it was used before the Commission was in connexion with the Corporation giving its own evidence, and not having evidence given in regard to it by another body. The Commissioners of Sewers attended here and gave evidence in regard to their constitution. The County Council attended and gave theirs, but it was not in the way in which the Corporation appear to be doing. It was not each officer coming forward telling his own story; that was a suggestion of Sir John Monckton's. I should have thought that the Town Clerk would have put in this book on behalf of the Corporation, and said, "I am ready to answer any question about it." It was a suggestion of Sir John Monckton's that all these officers should be called.

8111. (*Mr. Crawford.*) As you have said it was a suggestion of Sir John Monckton's, but it was followed up by the Commissioners by the expression of the hope that his evidence might be supplemented by similar evidence from other officers of the Corporation specially acquainted with particular subjects treated of in this Blue Book.

8112. (*Mr. Smith.*) It was his own suggestion.

8113. (*Lord Farrer.*) If we had had one legal officer and one financial officer that would have been sufficient.

8114. (*Mr. Crawford.*) It will save a great deal of time if you say you are perfectly content with the statements made in the Blue Book.

8115. (*Mr. Smith.*) I do not think a single fact in it is impugned.

8116. (*Mr. Crawford.*) I am very glad to hear you say so; I certainly did not have the same impression. I should add that there is no desire on the part of the officers of the Corporation to waste their time coming here when they can be better employed in the work of the Corporation.

8117. (*Chairman.*) I have no doubt it is a great tax upon them. Is there anything more in this proof?

8118. (*Mr. Crawford.*) I do not wish to take up the time of my brother Commissioners by asking questions, only I would desire to say this, that the Corporation have been charged with keeping back things, and now they are being complained of for giving information at too great a length.

The witness withdrew.

8119. (*Chairman.*) Are there any other witnesses whose names we have that we ought to call?

8120. (*Mr. Crawford.*) Acting under my advice the officers of the Corporation will return to their duties at the Guildhall to-day.

8121. (*Chairman.*) We can scarcely send them away in that fashion; we ought first to know who they are; it might be our desire to hear them.

8122. (*Mr. Crawford.*) Mr. Knott has not completed his evidence. There are two officers in regard to open spaces. It is true a good deal of the information they are prepared to give is contained in the Blue Book, but unless they are allowed to give their evidence in their own way it is idle for them to commence giving their evidence; it is not fair treatment, I think, to the officers.

8123. (*Chairman.*) I cannot say that I think that is justified. Mr. Knott's evidence was very voluminous, and a great deal of it was really not relevant to our work.

8124. (*Mr. Crawford.*) I accept the responsibility, Mr. Chairman, of requesting the officers to return to their duties at the Guildhall.

8125. (*Chairman.*) I am afraid we have some responsibility when we desire them to attend.

8126. (*Mr. Crawford.*) Any witness that you like to call at your next meeting I would be very happy for him to present himself. It is perfectly clear that at this hour of the day it is the desire of the Commissioners to have this inquiry ended as soon as possible. It is not possible to give proper evidence when we are working against time. It is perfectly

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obvious that the evidence is cut short, because unfortunately it is past four o'clock.

8127. (*Chairman.*) We will not discuss the question further now; we will have the room cleared.

(*Room cleared.*)

8128. (*Chairman to the Secretary.*) Will you read the last letter from the Town Clerk.

8129. (*The Secretary*):—

"Royal Commission on the
Government of London,
"Guildhall, E.C.,
"My Dear Sir, January 5th, 1894.

"A Special Meeting has been to-day held of the Committee having this matter under their consideration, and your letter of the 20th ultimo has been read and considered. In result I am directed to acknowledge its receipt, and to say that for the immediate purposes of the inquiry the officials and others mentioned in the enclosed list hold themselves in readiness to give evidence on the subjects set against their respective names. The letter generally is so little in accordance with the expressions and assurances of the President of the Local Government Board at the interview with which he favoured the Special Committee on the 30th day of November last, that it is received by the Committee with the greatest disappointment, and they hope its terms will yet be reconsidered so as to admit of the tender and reception of the greatest possible amount of evidence obtainable on the important question of London government.

"I am
"My dear Sir,
"Yours faithfully,
"John B. Monckton.

"To G. Gleadowe, Esq., C.M.G.,
"Secretary."

After discussion it was decided that the Secretary should be instructed to send the following reply to the Town Clerk:—

8130. (*Chairman.*) "Sir,—In reply to your letter of the 5th instant, I am directed to say that the terms of the letter I addressed to you on the 20th ultimo were very carefully considered by my Commissioners, and, although, in deference to your request, they have been re-considered, my Commissioners regret that they do not see how they can be varied. The letter was not intended to pronounce finally as to the admissibility or inadmissibility of any evidence; but to indicate the view taken by the Commissioners of their task, so as possibly to save the Corporation from the preparation of evidence which might finally prove to be inadmissible. My Commissioners do not believe that there is any discordance between the attitude they have taken and the language of the President of the Local Government Board, and they are assured that they are acting in fulfilment of the desire he expressed to your special Committee. If you could have favoured my Commissioners with any suggestion of a scheme of amalgamation which would have shown the relevancy of any proposed evidence, such suggestion, my Commissioners still believe, would have facilitated the further conduct of the inquiry. In its absence my Commissioners can only leave it to the Corporation to prepare such evidence as they may think fit, subject to the observations contained in my former letter to you of the 20th ultimo, the question of its admissibility being considered, if necessary, when it is tendered."

I am, in conclusion, to thank you for the evidence which has been given yesterday and to-day by many of the principal officers of the Corporation. The Commissioner of Police was unfortunately unable to come; but my Commissioners hope to receive his evidence, which must form a necessary part of the information to be laid before them at their next meeting on the 16th February.

Adjourned till Friday, the 16th February next, at 11 a.m.

EIGHTEENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 16th February 1894.

PRESENT:

The Right Hon LEONARD HENRY COURTNEY, M.P., Chairman, presiding.

Lord Farrer.
Mr. Robert Durning Holt.
Mr. Edward Orford Smith.

Mr. George Edward Yorke Gleadowe, C.M.G., Secretary.

8248. (*The Secretary.*) The Chairman of the Essex County Council, Mr. Andrew Johnston, wrote to the Chairman on the 25th ultimo, offering to give evidence upon the constitution of the Epping Forest Committee under the Act of 1878, and on the police arrangements outside London in the event of the London police being placed under the London County Council; by the Chairman's desire he drew up and submitted a memorandum which has been circulated to the Commissioners setting out his proposals, and he is attending to-day to give evidence upon them.

Mr. Andrew Johnston, Chairman of the Essex County Council, called in and examined.

Mr. A. Johnston.

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8249. (*Chairman.*) Mr. Johnston, you are the chairman of the Essex County Council?—Yes.

8249*a*. And you have, and have held, other positions in relation to the county of Essex?—I have been chairman of Quarter Sessions for 14 years, and perhaps I ought to add that I have acted on the Becontree bench, which is mentioned in my memorandum, for 28 years, and I am now chairman of it.

8250. And you are specially connected with that portion of Essex which is close to the metropolis?—So far as that I have lived there for the last 30 years, and know it pretty well.

8251. You were for some years member for South Essex, which at that time was the division adjacent to the Metropolis?—It included that, and extended down to Shoeburyness.

8252. In your position you had occasion to consider the relation of the Metropolitan Police to the police of the adjacent county?—Yes.

8253. And you have some considerations which you would submit to the Commission with respect to the organisation of the Metropolitan Police as relating to that district?—Yes. As I say in the memorandum, I do not at all know how far I am anywhere near the mark, but I thought that possibly knowledge of local circumstances might be of use to the Commission.

8254. The Metropolitan Police area extends into Essex?—Yes, a considerable way, taking in, perhaps nearly the whole is too strong a term, but I should think five-sixths, of Epping Forest.

8255. And a population which even relatively is much greater than the area?—Oh, dear, yes, very much greater.

8256. Do you know what the population is of that portion of Essex?—It is stated in the memorandum; it has increased in the decade 1881 to 1891, from 106,821 to 208,776, the acreage being 52,519.

8257. (*Lord Farrer.*) That is the area of the county of Essex within the jurisdiction of the Metropolitan Police?—Exactly.

8258. (*Chairman.*) And that although some portion of that area—a considerable portion—is and must remain sparsely inhabited?—The Forest?

8259. The Forest?—As to the rest, there is no saying how far it may be cut up for building in the course of time.

8260. You do not appear here to give any official information of the views of the Essex County Council?—No, I am not in a position to do that at all.

8261. But you have been in communication, you are in communication, with the members of the council?—Yes, and nothing which I say here is not justified by what has passed in public, and been reported in the newspapers.

8262. Now is there an inclination on the part of some members of the County Council to cut off from the rest this portion of the county of Essex which is at present under the Metropolitan Police?—Well, the views are not definite at present, but what has passed is this: The great increase of the population induced these and other urban districts in the county to ask for increased representation on the Essex County Council, and, as they did not wish to increase the members of the Council, a scheme of redistribution was prepared which would have taken seven members from the sparsely-populated districts, and given them to these which have so very much increased in population. It would have still left the rural districts very much over-represented, according to a mere population basis. But the Council refused, by a substantial majority, to entertain that scheme, though they agreed to add, if the Local Government Board would consent to add, seven members to the urban districts, thereby increasing the urban representation, without diminishing that of the rural. In the course of the debate, a very able and energetic member of the Council, coming from a purely rural district, mooted the idea that there should be a separation of the urban from the rural districts, and although I cannot say that there was any enthusiastic assent to that, no one on his side of the question got up to say anything against it. That was at our last meeting. Since that time I have ascertained that there is every disposition on the part of the urban representatives, so far as I have seen them, to take the same view. They are not satisfied with the representation which is offered them by the rural representatives. At the same time they quite appreciate the point of view of the rural representatives, and they do not wish to swamp them or do anything unfair; but they concur with what they believe to be the wish of the rural representatives in suggesting that this district, so completely different in interests and aspirations from the rural part of the county, would fitly form a separate administrative county. Each separate county would then be infinitely bigger in population than many existing administrative counties. If you take the example of Peterborough, Bedfordshire, Rutland, and counties of that kind, they would be a mere fleabite in population compared with what either of these counties would be. All that, of course, does not concern you, except so far as it holds out a possibility of there being an authority who might, as far as Essex is concerned, solve this, I imagine, very difficult crux of the future of the Metropolitan Police.

8263. You mean that if this suggestion were carried out, of cutting off from the rest of Essex the sub-metropolitan portion, and making that a separate administrative county, that separate administrative county might be ready to organise a police of its own?—Yes, that is it.

8264. And so far as that area is concerned, it solves the question of the future of the Metropolitan Police?—I think you have summed up all that I would say, if I may say so.

8265. (*Lord Farrer.*) Or if things remained as they are at present, and the police remained under the Home Secretary, the police of this separate county would be separated entirely from the police of the external county, and there would be no necessity, would there, because you divide the counties for administrative purposes, that the present arrangement with respect to the police within the metropolitan area should be altered?—Well, I can hardly conceive that Parliament would say that the Metropolitan Police are to be under local control west of the Lee, and under Imperial control east of the Lee.

8266. I say, assuming that the police within the metropolitan area remain as they are at present?—Then, I assume, there is no question at all, but I thought, unless the police in the City were taken from local control and given to Imperial control, which would be a strong thing to do, I imagine, in these days, that the whole would have to be under local control.

8267. (*Chairman.*) You put it alternatively; if there is no alteration in the Imperial control, then this severance of the sub-metropolitan portion would not affect the question; it would not disturb the question?—Precisely so.

8268. If there is going to be an alteration, the severance would facilitate the settlement?—Precisely so.

8269. This sub-metropolitan portion is, of course, bound to increase, although, perhaps, not in the same proportion as it has in the last 10 years?—No, the figures speak for themselves, I think. The fact is that London has now overflowed into it, and the increase is going on—as these figures show—more rapidly in the district outside the county borough of West Ham than it is inside the county borough of West Ham, because London has overflowed over West Ham into the adjoining districts.

8270. (*Lord Farrer.*) And is the division between this suburban district and the rest of the county pretty well marked at present, or are those limits being overflowed?—No, I think not at all. No, the outside fringe of the Metropolitan Police district in Essex is still quite rural; of course, there are people who go 20 or 30 miles to the City, and go outside it, but there is no great mass of population, no tendency; in fact, the Ongar Union, which is immediately outside it, has actually decreased in population, if I am not mistaken, in the decade.

8271. And with the exception of the forest, the greater part of the area within those limits is being filled up with population?—Yes, I think you may say that, gradually.

8272. (*Mr. Smith.*) The intervening district between that portion of the county of Essex of which you have been speaking and the limits of the London County Council is, I understand, the newly constituted borough of West Ham?—County borough.

8273. County borough of West Ham?—Yes.

8274. And that is, I should think, almost an isolated instance, is it not, of a county borough with full municipal powers not having the control of its own police?—Has Croydon?

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8275. Well, there may be Croydon as well, but there must be very few; they can only be in the Metropolitan area?—Well, I think those are the only two county boroughs within the area of the Metropolitan Police.

8276. Yes, but they are in an exceptional position as regards their police?—Well, I do not know much about the county boroughs in the rest of the country.

8277. You know that, generally, all municipal boroughs over 10,000 have the control of their own police?—I suppose so; they have in Essex; yes, that is so.

8278. So that these boroughs are in an exceptional position?—Yes; when you say that West Ham intervenes between London and the area referred to, it does not altogether cut it off, because the area referred to marches directly with London north of West Ham.

8279. Yes, but is there any chance, do you think, of any separate municipalities being created within this portion of the county of Essex, of which you have been speaking?—I think there will be if this change is not carried out, because it will be the only other solution of the question.

8280. Then the effect of your proposal might be to place these boroughs also in an exceptional position as regards their police?—If they become boroughs; at present they have no inclination, as far as I can gather—at least, it has been proposed and voted down by large majorities. I think they would be satisfied for some years to come if this change were carried into effect; but if it is not, there is no doubt they will seek to become boroughs, and then county boroughs.

8281. Do you think they would become boroughs of themselves, or would they be joined to any existing borough, such as West Ham?—There is not the slightest chance of that.

8282. They would be independent?—Certainly.

8283. Then the effect of your proposal would be that if those boroughs were hereafter constituted you would by this action, for the time being, have deprived them of the control of their own police?—Precisely so; I cannot conceive that anyone would wish to chop up the Metropolitan Police into the minute areas which would be implied by giving each urban district——

8284. Not each urban district — each municipal borough?—Well, each municipal borough, I mean to say. They are now urban districts, and they may or may not become boroughs—the change does not seem a very important one—but to chop up the Metropolitan Police into the minute areas comprised in each urban district or borough, as the case may be—well, my opinion is worth nothing, but I should think Scotland Yard would give a very strong opinion against it.

8285. But, assuming the area remains, I think you have told us, as at present, under the control of the Home Office, your proposal would fall to the ground?—It would fall to the ground as affecting your duties; it might have other recommendations.

8286. (*Lord Farrer.*) Supposing that this new county were constituted with its own police, would that police extend and have jurisdiction to West Ham?—That would be entirely a matter for arrangement.

8287. I mean have you any suggestion as to that?—I suggest that if you or Her Majesty's Government should be of opinion that the population and area which I give here is not big enough and strong enough to constitute an efficient police authority, an alternative proposal would be to unite it for that purpose with the county borough of West Ham; but I do not think the proposal would be popular either with West Ham or ourselves.

8288. Is West Ham much more populous now than the adjacent part of the county?—Yes, it is; I mean if you take population and area it is much more densely populated than the rest of the Metropolitan Police district within the county.

8289. (*Mr. Smith.*) Is there any probability of there being more than one borough in this portion of the area that you have indicated?—I think there would probably be three.

8290. Oh?—Walthamstow, Leyton, and East Ham.

8291. (*Lord Farrer.*) East Ham being to the east of West Ham?—Yes.

8292. (*Chairman.*) But your view is, I gather, that if this portion of Essex were made an administrative county of itself, and had a police force of its own, that police force might be accepted by these different boroughs?—I should think so; I should think they would prefer a strong police authority in whom the whole district would have confidence, such an enormously important body as the Metropolitan Police are to being governed by a number of comparatively small town councils.

8293. (*Lord Farrer.*) Would there not be an awkwardness, if there were a county police of that kind, in having West Ham excepted from it?—I think administratively it would be far better to have West Ham in it too; I only say that I do not think the proposal would be very acceptable. I should certainly vote for it myself if it were left to me, but one knows that there is always a strong feeling for autonomy in these things.

8294. (*Chairman.*) But West Ham might remain as a county borough, and this administrative county of sub-London Essex be created, and West Ham still not have a desire to have a police of its own?—I think they certainly would have a desire to have a police of their own, but I suppose there would be nothing inconceivable in their remaining entirely independent for all other purposes, and yet being united with the rest of the Metropolitan Police district as a police authority.

8295. (*Mr. Smith.*) Do you know the population of West Ham borough?—It was, at the census, 204,000 odd.

8296. And what would be the population of the rest of the county of Essex?——

8297. (*Chairman.*) The part proposed to be added.

8298. (*Mr. Smith.*) The part proposed to be added?—208,776.

8299. Very nearly the same then?—Very nearly the same; but as I say, population outside West Ham is increasing more rapidly than inside.

8300. No doubt. There are exceptional circumstances in this case, but, of course, you know that municipalities attach great importance to the control of their own police?—Yes, I fancy so.

8301. That is a very strong feeling of municipal government?—Yes, I think I may safely say I am aware of that.

8302. I quite admit there are exceptional circumstances here?—I should hope that whatever is done, there would be some power for the whole metropolitan police to act together; otherwise, if their power is on one side of a brook or a hedge, and they cannot go over it, in the way that two separate police jurisdictions usually are, it would be very much in the way of the administration of justice and the prevention of crime.

8303. (*Lord Farrer.*) Much more so in these crowded districts than where two rural counties adjoin?—Exactly, because it is all so mixed up, and such a very small area compared to an agricultural county.

8304. (*Chairman.*) If you had this administrative county made, and West Ham remained a county borough, the police for the whole area might be controlled by a joint committee of the county borough and the administrative county?—That was my idea.

8305. It would not be a county overriding a borough?—Oh, no; entirely on equal terms.

8306. On an equality?—That is to say, whatever population might be, I suppose the representation would be the same, in accordance with it.

8307. In proportion?—In proportion.

8308. (*Mr. Smith.*) That seems a very reasonable proposal, I think.

8309. (*Chairman.*) You would maintain the unity of the police throughout the area, but each portion of

the area would have an equal voice in relation to its population, in the control of the police?—Certainly. West Ham would have a natural hegemony in the matter, because it is so central, and all the rest of the parishes converge upon it more or less.

8310. (*Lord Farrer.*) Is there any inconvenience, or if no inconvenience, is there any discontent as regards the jurisdiction of the Metropolitan Police over this area, in Essex?—Well, of course, there are always outcries against the police everywhere, by a certain section of the population; nobody supposes they are perfect, and no doubt the malefactors would very much like to get rid of them. But, on the whole, I have seen a great deal of their work for the last 28 years, and I should say that it would be very unreasonable to complain of them, or very doubtful whether you would get anything better by any re-arrangement.

8311. (*Chairman.*) Do you know any of the chairmen of the other county councils which are about London—Hertfordshire?—Oh, yes; I know them all.

8312. Is there any feeling there in respect of the metropolitan police running into the county?—They extend a very short distance, I think, into Hertfordshire, do they not? I think the Hertfordshire police district—I do not know anything about it—but I have always imagined that it is a very small fringe that gets over the border into Hertfordshire. I should have thought in that case it might have been absorbed by the county.

8313. (*Lord Farrer.*) In Kent there is the same?—Kent, of course, has a large district, and Surrey has a very large district. As to Middlesex, it is entirely, I imagine, within the Metropolitan Police district.

8314. (*Chairman.*) And it would be a natural consequence of the suggestion you throw out that Middlesex would have its police under its county council?—In that case it is very simple, because no division of the county would be needed, if it is all within the Metropolitan Police area, as I imagine.

8315. It appears to be?——

8316. (*Lord Farrer*) Have you ever considered whether it would be possible to retain the existing limits and jurisdiction of the Metropolitan Police, and to put them in any way under some joint committee of all the different authorities who have jurisdiction? That is one of the alternatives which I suggest in my memorandum. But my experience with regard to the water question, which is on all fours with this, shows me that that would be very unpopular with the outside areas. I proposed that very thing as regards water. I wanted a great trust, which should represent, according to fair proportions, all the districts supplied by the metropolitan companies, which is, roughly speaking, co-terminous with the area we are now discussing; but I found that I was almost alone, as far as Essex was concerned, in supporting that view. The other representatives of the large populations about said, "Oh, it would be no gain to us at "all to have one or two members on a metropolitan "water trust; we should be utterly swamped; we should have no influence"; and altogether I found the feeling against it so strong that I dropped it; and I think the feeling would be, perhaps, very much the same as regards the police.

8317. (*Mr. Smith.*) Unless the trust were a very unwieldy one it would be hardly possible to entitle some of the districts to half a representative, would it?—Precisely.

8318. That would be a difficulty?—I think, then, each county would have to be represented *en bloc*, of course.

8319. That is the difficulty, of course—the density of population.

8320. (*Chairman.*) But the line of least resistance points to the separation of these different portions of the neighbouring counties into administrative counties of their own?—I think so.

8321. (*Mr. Smith.*) Or, if I may be allowed to add, leaving things as they are?—Yes. I am getting old, and that is what I should prefer.

8322. I mean you do not see, supposing that London could be satisfied in some way, you do not see any difficulty, or rather you approve, I gather, of the existing limits of the Metropolitan Police area?—Their limits certainly; but it is quite a novel idea to me that the police in London should be under local control and the police outside under Imperial control.

8323. (*Chairman.*) By the "police in London" you meant the police in the City of London, did you?—I meant the Metropolis.

8324 (*Mr. Smith.*) I am speaking at present merely of the geographical area. You do not object to that?—Oh, no, I think it would be a great pity to alter it.

8325. And you are of opinion that whatever jurisdiction they are under, they ought to be under one jurisdiction if possible?—In each county.

8326. Oh, in each county. You prefer them to be split up into counties, do you? Suppose you get rid of your assumption that London is going to have control of the outside districts, and leave the thing as it stands at present, the area is a satisfactory one, is it not?—Oh yes; I think to disturb the boundaries of the Metropolitan Police district would cause great confusion. Because it has been well known now for 50 years or more, and the rating is different; the police rating is much higher within it than outside it, and it might conceivably be contracted in some places where it is very thinly populated; but I think it would be a pity to alter boundaries even in that case.

8327. (*Chairman.*) The suggestion that you make would also meet some difficulties as to judicial action—magisterial jurisdiction, would it not, as well as police administration?—Would avoid some of the metropolitan——yes, well, it would facilitate changes which some of us think would be beneficial.

8328. Would you explain those?—Well, Becontree petty sessional division is entirely contained in this Metropolitan Police area within the county of Essex, and to the north there are four parishes within the Metropolitan Police area, but not within the Becontree division. Three of those are so much more convenient for Stratford, where the Becontree justices sit, than for Epping, that it has already been agreed by the two benches, and by the authorities at Scotland Yard, that their cases may, if the police think fit and other prosecutors think fit, come to Stratford instead of going to Epping or Waltham Abbey, and some of the justices, including myself the chairman of our bench, and the chairman of the Epping bench, are decidedly of opinion that it would simplify matters altogether if the whole of the Metropolitan Police area within the county became one petty sessional division, which might hold its sittings at different parts for the convenience of the public. Well, the reason why I mentioned that was, that if the precedent of the Local Government Act of 1888 were followed, and the police placed under a joint committee appointed half by the County Council and half by the justices, you would then have one body of justices accustomed to act together, who would appoint their representatives on it in the same way, as quarter sessions now appoint their representatives in the case of any administrative county.

8329. And there would be no practical difficulty in making the petty sessional divisions coincident with that proposal?—It is a matter that is very easily done; provided people are fairly unanimous, quarter sessions can almost do it by a stroke of the pen. The formalities are very slight, and within my recollection petty sessional divisions within the county have been altered four or five times with general approval.

8330. (*Lord Farrer.*) I rather gather that, on the whole, your inclination is to say that things are well as they are, and what you suggest is only in contemplation of a possible alteration of the jurisdiction over the Metropolitan Police within the area of the administrative county of London?—Precisely so.

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Of course, you have nothing to do, except from this point of view, with regard to the question whether Essex should be two administrative counties or one. That might be very advisable on other grounds, but so far as the police go, I see nothing to be gained as regards the public security and the administration of justice, in making any change at all. All my suggestion was, in case you felt in any difficulty about the police authority for this district, to let you know that there was a proposal, I will not say exactly under discussion—it may be only in the clouds—but still in existence, which might facilitate that action.

8331. (*Chairman.*) Epping Forest?—Well, I did not know at all how far your recommendations would be likely to go into a detail like that, but I thought it well to put it forward, that if the Epping Forest Committee, instead of being a committee of the Corporation, with certain local representatives added in the form of verderers—if, instead of that, it were a committee of the London Council, with certain local representatives, those of us who have acted as such local representatives—I, in the past, and some of those who are now acting—are strongly of opinion that the local representation ought to be increased.

8332. (*Lord Farrer.*) What is the proportion now?—It is 12 to 4.

8333. (*Chairman.*) Four local, and 12 City?—Exactly.

8334. (*Lord Farrer.*) And how are the local representatives chosen?—By the commoners; by those having common rights on the forest, divided into two divisions—there is an election coming on next month—south and north, each having two representatives.

8335. (*Mr. Smith.*) And you say that that is desirable at the present time?—That the local representation should be increased?

8336. Yes?—I think so; but it is not likely. It is not of sufficient importance for anybody to bring in a Bill about it; but if there is going to be a change in the constitution of the Committee, we submit that it would be a very favourable opportunity for considering that point.

8337. (*Lord Farrer.*) Is there any divergence of interest or opinion often between the representatives of the City of London and the local representatives?—Oh, no, I think not. The representatives of the City of London have been very kind to us. They know that we reside on the spot. I say "we" because I acted for nine years (I am not now a verderer), and have a long and intimate acquaintance with the Forest; and they have generally regarded us as their ears and eyes, and for that reason, it being a very large area—extending 11 miles long, the Forest is—we think that there ought to be more ears and eyes about.

8338. But not with the view to any different treatment of the Forest?—Oh dear, no.

8339. I mean that the local representatives are equally desirous with the London representatives to make the Forest a place of recreation?—Oh, entirely; entirely. There is no suggestion of any exclusion of the public, or limiting any rights, or increasing any rights.

8340. (*Chairman.*) Or as to the style of treatment of the Forest, supposing it remains, as we all imagine it would?—I do not think there has been any difference of opinion, broadly speaking, between the verderers and the rest of the Committee as to that. Individual verderers or individual members of the Committee may have had strong views, but there has been no cleavage in that direction.

8341. (*Lord Farrer.*) One sees occasionally complaints from persons who seem to think they have or ought to have local rights in the Forest, that they are overridden by the present managers?—That is purely a question of law. There was the utmost anxiety on the part of the Committee to give everybody his rights. If you gave rights or allowed people to exercise rights who have not got them, you would be *pro tanto* robbing those who have the rights, because there are quite enough turning out on the Forest. I say this in the interest of the poor animals themselves, as the Forest is eaten down quite close enough. But it is purely a question of law; and the conservators, or some of them, took the opinion of Sir Horace Davey on a case which was first revised by these very persons who were claiming to be commoners when we thought they were not; and Sir Horace Davey's opinion was most unequivocal that the Committee had gone to the utmost limit in admitting persons to the right of common; they have gone a little beyond that in admitting some, who had not the right of common, to be allowed to turn out on the ground of having exercised that right in the past.

8342. (*Mr. Smith.*) You find very often, do you not, that persons who have a right of common are rather anxious to set up a right of common without stint?—I am afraid I forget what stint means.

8343. Well, it means without limit, practically.

8344. (*Lord Farrer.*) That is a common north country expression.

8345. (*Mr. Smith.*) I have heard a great deal of it in Wales lately.

8346. (*Lord Farrer.*) We have it in Yorkshire.

8347. (*Mr. Smith.*) Oh, I think it is a legal term also. Perhaps I ought to ask pardon for using it.

8348. (*Chairman.*) However, your suggestion apparently is only that there might be with advantage a larger local element in the governing body of Epping Forest?—And then the other suggestion I should press very strongly, and that is, that when there is a casual vacancy in the verderership the commoners should not wait seven years for a representative, as they do now, but should be allowed to elect their own members.

8349. (*Lord Farrer.*) Is it co-optative now?—Casual vacancies are filled by co-optation.

8350. (*Chairman.*) By the whole body?—By the whole body. And it so happened on the last occasion that the two verderers for one of the two divisions resigned within nine months; both of them resigned from purely private reasons within nine months of the election; so that for six years and a quarter the commoners of that district have been represented by gentlemen who were nominated wholly apart from their consent.

8351. Perhaps the period of seven years is a little unduly long in any case?—Oh, I do not think it matters, because practically it has been found that, once an elected verderer always a verderer, nobody seeks to disturb you. But the casual vacancies ought certainly to be filled up by the same body who elected the person who resigned.

8352. Would it be different if the casual vancancies were filled up by co-optation on the part of the other local representatives?—That would be better; but as there would be only three of them, it might be considered rather a hole-and-corner method. It is an invidious thing to nominate one's own colleagues in a small body.

8353. (*Lord Farrer.*) The verderers are elected by the commoners, are they?—Yes.

The witness withdrew.

8354. The following correspondence with the Town Clerk of the City and the Clerk of the London County Council was read by the Secretary:—

1. The Secretary to the Town Clerk.

"30, Abingdon Street, S.W.,
"Sir, January 20, 1894.

"I am desired by the Chairman to request that you will express to the Corporation his hope that they

will be able and willing to favour him, for the use of the Commission, with an account of the assets and liabilities of the Corporation, containing, so far as is practicable, the following items :— 16 Feb. 1894.

Dr.

	£ s. d.	£ s. d.
To amount of debt charged directly upon the general estates of the Corporation :—		
(Description of each debt.)		
To amount of debt charged collaterally upon the general estates, and now being paid for out of the City's cash :—		
(Description of each debt.)		
To amount of debt charged upon special funds or special estates and collaterally upon the general estates —		
(Description of each debt.)		
Total loan debt of the Corporation		
Balance of assets over liabilities on the general estates		
Total agreeing with total estimated value		£

Cr.

	£ s. d.	£ s. d.
By estimated value of City's general estates :—		
Freehold ground rents at [ ] years' purchase		
Vacant land available for letting		
Leasehold property divided into classes according to the method of valuation		
Total estimated value of general estates		
By estimated value of special funds or special estates charged with debt as per contra	£ s. d.	
Less amount of estimated value not required to pay debt		
Total estimated value of City's estate		£

" I am, Sir,
" Your obedient Servant,
" G. GLEADOWE.

" To the Town Clerk,
" Guildhall, E.C."

2. The SECRETARY to the TOWN CLERK.

" Royal Commission on the Amalgamation of the City and County of London, 30, Abingdon Street, S.W.

" MY DEAR SIR, January 20, 1894.

" IN further reply to your letter of the 5th instant, I am desired by my Commissioners to say that the terms of the letter I addressed to you on the 20th ultimo were very carefully considered by my Commissioners, and although in deference to your request they have been reconsidered, my Commissioners regret that they do not see how they can be varied. The letter was not intended to pronounce finally as to the admissibility or inadmissibility of any evidence, but to indicate the view taken by the Commissioners of their task, so as possibly to save the Corporation from the preparation of evidence which might finally prove to be inadmissible. My Commissioners do not believe that there is any discordance between the attitude they have taken and the language of the President of the Local Government Board, and they are assured that they are acting in fulfilment of the desire he expressed to your special Committee. If you could have favoured my Commissioners with any suggestion of a scheme of amalgamation which would have shown the relevancy of any proposed evidence, such suggestion, my Commissioners still believe, would have facilitated the further conduct of the enquiry. In its absence, my Commissioners can only leave it to the Corporation to prepare such evidence as they may think fit, subject to the observations contained in my former letter of the 20th ultimo, the question of its admissibility being considered, if necessary, when it is tendered.

" I am, in conclusion, to thank you for the evidence which has been given yesterday and to-day by many of the principal officers of the Corporation. The Commissioner of Police was unfortunately unable to come, but my Commissioners hope to receive his evidence, which must form a necessary part of the information to be laid before them, at their next meeting on the 16th February."

" I am, Sir,
" Yours faithfully,
" G. GLEADOWE."

" The Town Clerk,
" Guildhall, E.C.

3. The SECRETARY to the CLERK to the LONDON COUNTY COUNCIL.

" Royal Commission on the Amalgamation of the City and County of London, 30, Abingdon Street, S.W.

" SIR, January 20, 1894.

" I AM desired by my Commissioners to request that you will inform the London County Council that they have fixed their next meeting for the 16th proximo, and they would be glad to learn that the Council will be ready to lay before them, to be considered then, or at an early subsequent date, any suggestion or outline of a scheme of amalgamation which would assist them in the solution of the problem entrusted to them.

" I am, Sir,
" Your obedient Servant,
" G. GLEADOWE.

" To the Clerk to the
" London County Council."

4. The CLERK to the LONDON COUNTY COUNCIL to the SECRETARY.

London County Council,
Spring Gardens, S.W.,
February 6, 1894.

" SIR,

" THE Council's Special Committee have had under consideration your letter of the 20th ultimo, stating that the Royal Commission have fixed their next meeting for the 16th instant, and that they will

16 Feb. 1894.

be glad to learn if the Council will lay before them, to be considered then or at an early subsequent date, any suggestion or outline of a scheme of amalgamation which would assist the Commission in the solution of the problem entrusted to them.

"In reply, I am directed to inform you that the Committee will be in a position to submit to the Royal Commission for consideration on the day mentioned some proposals for amalgamation which they have had prepared in a form suitable for presentation to the Commission. I have also to state that representatives of the Council will be in attendance to give evidence with reference to the proposals if the Commission considers it desirable.

"I am, Sir,
"Your obedient Servant,
"H. DELA HOOKE,
"Clerk of the Council."

"The Secretary,
"Royal Commission,
"on the Amalgamation of the
"City and County of London,
"30, Abingdon Street, S.W."

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5. The TOWN CLERK to the SECRETARY.

"Guildhall, E.C.,
February 13, 1894.

"MY DEAR SIR,

"I AM directed to convey to you the substance of a report of the Special Committee agreed to yesterday by the Court of Common Council.

"The Committee, after going at considerable length into the circumstances attending the more recent meetings of the Royal Commission, proceeded as follows:

"It is therefore with the greater regret that we have arrived at the conclusion that weighing carefully the various considerations we have now set out in somewhat lengthy but necessary detail, your honourable Court should be advised by us that the further tender of evidence should not be proceeded with."

"I am,
"My dear Sir,
"Yours faithfully,
"JOHN B. MONCKTON.

"To the Secretary,
"Royal Commission on London Government,
"30, Abingdon Street,
"Westminster."

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6. MR. H. H. CRAWFORD to the CHAIRMAN.

"Guildhall, London, E.C.
February 13th, 1894.

"DEAR MR. CHAIRMAN,

"THE Corporation having resolved, with but one dissentient, to abstain from tendering any further evidence before the Royal Commission on the proposed amalgamation of the county and the City of London, such resolution being based upon a report of the Special Committee, complaining of the very unnecessary and unreasonable conditions imposed by my brother Commissioners to the reception of evidence from the Corporation, and in the justness of which complaint I, as you already know, most fully concur, I have deemed it right to address a communication to the President of the Local Government Board with reference to the steps to be taken by me, in order to obtain Her most gracious Majesty's consent to my withdrawal from the Commission. Under these circumstances, but with sincere regret, I feel I cannot consistently act further as one of your body; more especially as Her Majesty's Government nominated me to represent the views of the Corporation on the Commission, and the Court of Common Council has reluctantly arrived at the conclusion that due consideration has not been, and is not being, given to the important interests involved in the reference to the Commissioners; views which I, as you will remember, have more than once had occasion to give expression to at various sittings of the Commission.

"I am, dear Mr. Chairman,
"Your faithful Servant,
"HENRY HOMEWOOD CRAWFORD.

"To the Right Hon.
"L. H. Courtney, M.P."

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7. MR. CRAWFORD to the SECRETARY.

"AMALGAMATION COMMISSION.

"Guildhall, London, E.C.
February 15th, 1894.

"DEAR MR. GLEADOWE,

"So that my colleagues may understand the reason for my absence from the sittings of the Royal Commission to be resumed to-morrow (Friday), I beg to enclose a copy of a communication which I deemed it my duty to address to the President of the Local Government Board on Tuesday last, and which I beg that you will read to my colleagues.

"To save inconvenience I communicated the fact of my having written Mr. Fowler to the chairman on Tuesday last, and, doubtless, he will read my communication to his brother Commissioners.

"I need hardly add that I quit the work of the Commission with extreme regret, and beg to thank you for the courteous attention which I have at all times received from you during the progress of the Commission.

"Believe me,
"Dear Mr. Gleadowe,
"Yours very faithfully,
"HY. HOMEWOOD CRAWFORD.

"G. E. Yorke Gleadowe, Esq., C.M.G.,
"Treasury, S.W."

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8. *Enclosure in No.* 8.

MR. CRAWFORD to the PRESIDENT of the LOCAL GOVERNMENT BOARD.

"Guildhall, E.C.,
February 13, 1894.

"SIR,

"I exceedingly regret that it has become necessary for me to ask you to be good enough to indicate the steps I should take to obtain the permission of Her most gracious Majesty to my withdrawal from the Royal Commission on the Government of London.

"It is, doubtless, already known to you that the Corporation has, by a Resolution of the Court of Common Council, passed in a large court with but one dissentient, determined to abstain from tendering any further evidence; the main reason of its decision being the imposition by my brother Commissioners of very unnecessary, and, as I venture to think, unreasonable conditions to the reception by the Commission of evidence on the part of the Corporation.

"Inasmuch as the Resolution of the Court of Common Council is the outcome of a Report from the Special Committee of the Court, the recommendation contained in which meets with the entire approval of the high officers of the Corporation (including myself), I feel that I cannot, consistently, act further as a member of the Royal Commission; more especially as I was added on the nomination of Her Majesty's Government as the representative of the views of the Corporation, and that body has reluctantly come to the conclusion that due consideration is not being given to the important interests involved in the reference to the Commission.

"I have the honour to be,
"Sir,
"Your obedient servant,
"HY. HOMEWOOD CRAWFORD.

"The Right Hon.
"H. H. Fowler, M.P."

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9. The Town Clerk to the Secretary.

Guildhall, E.C.
February 16, 1894.

"My dear Sir,

"I herewith send you two advance copies, possibly with slight verbal errors, of the report of the Special Committee of the Corporation, agreed to by the Court of Common Council, and yesterday ordered to be printed,

"I am,
"Yours faithfully,
"John B. Monckton.

"To G. Gleadowe, Esq., C.M.G.,
"Secretary."

8629. After discussion, it was resolved that the following reply should be returned by the Secretary to the Town Clerk's letter of the 13th instant:—

"Dear Sir,

"I have laid before my Commissioners your letter of the 13th instant, announcing the agreement of the Court of Common Council with the report of the Special Committee that the further tender of evidence on the part of the Corporation should not be proceeded with, and I have also received a communication from Mr. Crawford, enclosing a copy of a letter to the President of the Local Government Board expressing his desire to withdraw from the Commission. My Commissioners instruct me to convey to you an expression of their great regret at the decision of the Corporation and the action consequent thereon. I have also received this morning, and laid before the Commissioners, the two advance copies of the report of the Special Committee to the Court of Common Council on which their decision was taken, but my Commissioners have necessarily been unable to peruse this document, and to give it the attention it requires."

"I am, Sir,
"Your obedient Servant,
"G. Gleadowe.

"To the Town Clerk,
"Guildhall, E.C."

On resuming,

Mr. Charles Harrison, Vice-Chairman of the London County Council and Mr. W. H. Dickinson, Deputy-Chairman of the London County Council, were recalled and further examined.

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8630. (*Chairman.*) You tender this map* ?—(*Mr. Harrison.*) Yes. (*Mr. Dickinson.*) I have prepared this in accordance with a request that you made to us the last day, and it now represents the areas of central government round and about London. Of course it does not go into the question of the areas of local government in London at all. The pink portion is the county of London, the lines which you see running along and next to each other; in all cases the actual boundary is the outside edge of the outside line.

8631. (*Lord Farrer.*) The red line?—Well, whatever is the outside line; the actual boundary is outside.

8632. Each line? The smallest area is the City. That contains 671 acres. (*Mr. Harrison.*) The table in the corner gives the area and population in 1891, and the rateable value.

8633. That is the population according to the census?—That is so. (*Mr. Dickinson.*) That gives the area, the population, and the rateable value of the City, namely, area 671 acres, population, in 1891, 37,705, and rateable value, 4,088,948*l.* Then the county of London is painted pink. The area of the administrative county is 75,442 acres, its population in 1891 was 4,232,118, and its rateable value was 33,081,766*l.* The only thing that is noticeable in the county of London is that there is a portion to the north of it which is within the county of Middlesex. A portion of the county of London is outside the county. There is also another very small portion of London detached, close to Putney. These are the only portions of the county of London that there is any complexity about.

8634. (*Mr. Smith.*) Yes, I quite see those two.

8635. (*Chairman.*) What is the origin of this, do you know; I only ask as a matter of historical curiosity?—Well, I believe that the detached portion in the north of London is a portion of Clerkenwell, where there was actually a well belonging to the monastery; I have always heard that. I do not know whether it is a fact or not; but at any rate it belonged to the old monastery of Clerkenwell, and it has formed a part of Clerkenwell since then. There is also within the county of London a portion of Middlesex detached. I do not know the origin of this at all.

8636. (*Lord Farrer.*) The portion of Middlesex detached?—The portion of Middlesex detached—it is near to a sort of peninsula of Middlesex that runs out of Middlesex into London at South Hornsey. We have proposed from time to time to take it into the county of London, but we have never come to any agreement with the people of South Hornsey to do so.

8637. (*Mr. Smith.*) Have you any compulsory powers to do that?—No, we have to do it by order of the Local Government Board. We have no powers to do that outside the county. Then the brown line is the poor law area. It is very nearly the same as the county of London. The area is 74,672 acres, population 4,211,743, and the rateable value, 32,932,967*l.* If you follow it round you will see that the only exception is that it cuts off Penge, Penge being in the county of London, but not in the London registration district; it is in the Croydon union. Also the portion of Middlesex detached is outside the poor law jurisdiction of London.

8638. (*Lord Farrer.*) Does the area outside the poor law district correspond with the outside of that red line; the brown line is inside the blue line and the red line?—The boundary is the outside edge of the red line all round London, except at Penge.

8639. So that the brown and blue lines where they coincide with the red line must be taken to cut off the outside of the red line?—That is what I intended by my observations just now.

8640. Well, then, the blue line, that is the boundary of the Metropolitan Police courts?—That, if you will follow it round, differs very little now from the area of the county. It cuts off Penge in the south, and it takes in a portion of Middlesex at Acton, and again a small portion of Middlesex at Willesden. Then it leaves out a portion of the county of London at Hampstead, and takes in again a portion of the county of Middlesex at Hornsey. Then it follows the county boundary round until you get to a place close to Stratford. Here there is a very small portion of the county of London which is outside the area of the Metropolitan Police courts. Then the areas are coterminus for the rest of the distance.

8641. (*Mr. Smith.*) Coterminous with the poor law?—(*Mr. Harrison.*) Coterminous with both the poor law district and the county. (*Mr. Dickinson.*) Before I come to the Central Criminal Court area may I just say something which I ought to have said, that the Police Court area is variable by order of the Home Office, and before last November the Metropolitan Police Court area included Wimbledon. That and another portion of Surrey have been removed now, and have been thrown into the petty sessional divisions of that county, and, therefore, to that extent, matters have been simplified quite recently. Well, then, the next line that you have is the yellow line, that is the Central Criminal Court area. This area contains 269,140 acres, a population of 5,260,680, and its rateable value is 38,452,178*l.* Beginning at the east, it follows round the boundaries of London

* *See* Map, No. 1, at end of Report.

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and Surrey and Kent, except at one point of Kent, where it takes in that little portion of Kent which is called Mottingham, then it follows the county boundary until it gets to Upper Tooting, where the lines separate, and the Central Criminal Court takes in Wimbledon, and a portion of Mortlake and Barnes —two portions of Surrey. Then crossing the river it it gets into Middlesex, and, as you see, the Central Criminal Court area then coincides precisely with the county of Middlesex; it takes in the whole of the county of Middlesex.

8642. (*Chairman.*) Goes right across Richmond Park, apparently?—That line is the parish boundary of Richmond.

8643. (*Mr. Smith.*) It is not an arbitrary line; that is the parish boundary?—(*Mr. Harrison.*) It is not arbitrary, it is the parish boundary.

8644. (*Chairman.*) And then it follows the county of Middlesex?—(*Mr. Dickinson.*) Then it follows the county of Middlesex round until it gets to Essex, and then it crosses a portion of Essex, taking in that portion of Essex that you see on the north-east of London. Then the last area that I have is the area ——(*Mr. Harrison.*) Pardon me for a moment. The Central Criminal Court area was defined by the statute of 1834, and the area of the Metropolitan Police, which was created in 1829, was extended in 1839.

8645. The Metropolitan Police were created then?—The present area of the Metropolitan Police was created then.

8646. Extension. The Metropolitan Police existed before that?—Of course. Then the present extension—the present boundary dates from 1839. (*Mr. Dickinson.*) "10 Geo. IV. c. 44. s. 4. The city and liberties "of Westminster, and the parishes, &c. in Middlesex, "Surrey, and Kent scheduled to the Act. S. 34. "The King may, by Order in Council, direct that any "parishes, &c. in Middlesex, Surrey, Hertford, Essex, "and Kent, of which any part is within 12 miles of "Charing Cross, shall be added to the Metropolitan "Police District. 3 & 4 Vict. c. 47. s. 2. (On "recital that the present boundary is very irregular.) "The Queen may, by Order in Council, add to the "Metropolitan Police District any place which is "part of the Central Criminal Courts district "except the city of London, and also any part of "any parish, &c. which is not more than 15 miles in "a straight line from Charing Cross, although the "whole of such parish, &c. be not added." That was the time at which it was extended by Orders. They made it a more regular line, but not a very regular line. And then there was an Order in Council of the 3rd of January 1840 by which they took in a part of Hertfordshire. That was how the present area was formed. (*Mr. Harrison.*) When Croydon, which is within the Metropolitan Police area, was formed into a borough it was then excepted for police purposes and exempted from the Act, and the same occurred also with East Ham.

8647. (*Lord Farrer.*) But Croydon is under the Metropolitan Police?—Yes.

8648. (*Chairman.*) It has no police of its own?—It has no police of its own. It was exempted from the ordinary application of the Police Act and the Metropolitan Police.

8649. (*Mr. Smith.*) That is the same question, practically, that I asked the witness who came this morning as to West Ham?—Yes. (*Mr. Dickinson.*) Then there is the line of the Metropolitan Police District. It is not a regular line; it still follows, I believe, the lines of parishes, although they had a power of making it otherwise. The area of the Metropolitan Police District is 442,750 acres. The population is 5,596,101, and its rateable value 36,824,313*l.*

8650. (*Lord Farrer.*) There is a curious angle at the south. I suppose that is a parish?—(*Mr. Harrison.*) Yes; those are all parishes. Those are all parish boundaries, other portions of parishes which come within.

8651. (*Mr. Smith.*) It is what we call the 15 mile radius, tempered by the parish boundary?—That is it, yes. (*Mr. Dickinson.*) Yes; the whole of the parishes within 15 miles, and all the parishes of which any portion is within 12 miles, that is what it really comes to. Of course you must bear in mind that the police district does not include the City, therefore this area which is within the purple line is not altogether within the police district. When you look at the figures, you will see the police district has less rateable value than the Central Criminal Court district, because it has not got the City. The total area within the circuit line of the Metropolitan Police District is 443,421 acres. The population in 1891 was 5,633,806, and the rateable value 40,913,261. (*Mr. Harrison.*) The area of the county borough of Croydon is 9,901 acres, and the area of the county borough of West Ham, 5,390 acres.

8652. (*Lord Farrer.*) You have not put upon this map the water area?—(*Mr. Dickinson.*) No, that is very different. (*Mr. Harrison.*) Not the water; different units, different districts are given to them, which would be found to overlap. Nor is there shown on this map what is of course a very essential portion of the unit, and that is, the drainage area; we found it would be too complicated.

8653. (*Mr. Smith.*) You all drain ultimately, do you not, to the Thames outfall?—(*Mr. Harrison.*) No. (*Mr. Dickinson.*) Ultimately it gets into the Thames; but in Wimbledon they treat their sewage themselves, and then it gets into the Wandle, but it does not get into our system; our system only takes the sewage of our own county, and of those places that we have agreed to take it from.

8654. (*Lord Farrer.*) It takes a good deal of the Lea Valley, does it not?—We are now about to take the whole of West Ham; that was settled last year. We take Tottenham and South Hornsey and Willesden, (*Mr. Harrison.*) Then the only addition that will be supplied—it is not quite complete, it wants a little verification—is the acreage and population, at different dates, from the establishment of the police of all these various areas, taking out 10 years. That is to say, from 1831, the nearest to the Act of 1829, and the population when the Metropolitan Police was originally established show——(*Mr. Dickinson.*) I should add that the area of the Central Criminal Court varies to a certain extent, because for the winter and spring assizes they take the whole criminal work within the whole of the home counties, it all goes to the Central Criminal Court, irrespective of this boundary.

8655. (*Mr. Smith.*) That is a matter of grouping under that Act?—Under Order in Council; (*Mr. Harrison.*) The county of Middlesex stands in an exceptional position in having no police.

8656. (*Lord Farrer.*) No police except the Metropolitan Police?—Well, that it does not have.

8657. They do not have it?—No, it is the only county without a police.

8658. A police of its own?—A police of its own.

8659. (*Mr Smith.*) In that respect it is exactly in the same position as the boroughs of Croydon and West Ham; they are the only boroughs, probably, without a police of their own, except those under 10,000?—(*Mr. Harrison.*) Yes. (*Mr. Dickinson.*) Before we go on to anything further, I am rather anxious to ask the views of the Commissioners as to what course they would like us to adopt with regard to the criticism of the evidence which has been handed in on the part of the City. Of course, we see that there is not very much that wants criticism, but on the other hand there are certain points which we think we ought not to leave unmentioned. For instance, the way in which the position of the City with regard to their expenditure on markets was put before the Commission. We have gone into the whole question as to how far the markets have benefited by reason of the expenditure of other monies of the Corporation. We have gone back to the year 1854, and we see that that statement needs a good deal of qualification, and Mr. Gomme would be willing to give evidence on

that point, and indeed on several other points of Mr. Payne's evidence, which, if the Commission think it is advisable, would certainly clear up two or three subjects which we cannot leave unmentioned. If the Commission think it is sufficient for us to mention it in this way we shall be quite prepared to leave it as it is. But there it is. There are four or five points, in fact I have got a list of them, especially in the evidence of Mr. Payne, that Mr. Gomme would like to have some further opportunity of giving an explanation upon.

8660. (*Chairman.*) Probably, if Mr. Gomme can furnish us with an abstract of what you would wish to comment upon, then we will see how far it is desirable that it should be admitted?—We will do that.

8661. (*Lord Farrer.*) And so upon the other points; you said there were half a dozen points?—Yes, these are some other points; perhaps you would like it generally; all the observations we desire to make on that evidence you would wish put in in documentary form.

8662. Yes?—Yes, we shall do that. There is some further information that you wanted from Mr. Gomme about the list of expenditure on civic purposes; we would let you have that too; particulars of all these things would go in altogether in the information. We have got no further evidence now, except the evidence which we have been requested to furnish upon proposals for the amalgamation of the City and County of London.*

8663. (*Chairman.*) Yes?—That, I take it, you wish to go into now?

8664. We are ready to begin it at all events?—(*Mr. Harrison*) With regard to the proposals, I am desired as chairman of the Special Committee having charge of this matter in the County Council to state that, having received a letter dated the 20th of January from the Royal Commission stating that they would be glad to learn that the Council will be ready to lay before them to be considered on the 16th of February any suggestion or outline of a scheme of amalgamation which would assist the Commission in the solution of the problem intrusted to them, the Special Committee appointed to conduct the Council's case before the Royal Commission have now completed, and printed proposals for amalgamation which have been under their consideration for some time past, and which in their unanimous opinion will afford a satisfactory basis for the amalgamation of the City and County of London. The Committee, acting under the powers of their reference, have directed that these proposals be presented to the Commission, and that evidence be tendered to-day. The Committee have thought it more respectful to the Commission not to communicate the proposals to the Council at the present stage, but they will be reported to the Council in due course, and copies of any resolutions arising thereon will be communicated to the Commission.

8665. (*Lord Farrer.*) Do you propose to circulate this to the Council now?—Well, we are in the hands of the Commission, anything that we communicate is necessarily made public.

8666. Made public, of course, at once?—Public at once. There are ample powers existing in the reference to us to frame these proposals——

8667. You propose to lay these proposals before us in the first place?—In the first place.

8668. Any subsequent communication to the Council is a matter of discretion?—Not yet decided upon; and then, should the Council, when deciding upon it, pass any resolutions which it would be desireable to communicate to the Commission, of course, these resolutions would be submitted.

8669. But, so far as you can judge at present, this would be probably consistent with the opinions of the majority of the Council?—I think so, as far as we can judge; I do not think there would be any difference of opinion expressed; I do not think it would be challenged; it might be in details, but the principle, I think, would be accepted, as far as we can learn.

8670. (*Chairman.*) Will you tell us upon what general principle these proceed—these proposals?—They are intended only to indicate the broad outlines of the scheme, but at the same time they aim at being sufficiently definite to be practical as regards all matters which are of essential importance. The general principles of the Municipal Corporations Act are adopted in so far as they appear to be applicable to the special circumstances of the Metropolis, and consistent with preserving the historical privileges of the ancient government of the City, and the modifications effected by the Local Government Act of 1888. The proposals are confined to the amalgamation of the City and County of London; it is therefore outside their scope and intention to deal with local authorities in the Metropolis which are not necessarily affected. Those local authorities would occupy the same position with regard to the new Corporation as they now occupy with regard to the London County Council. The conception of amalgamation which has been kept in view in framing those proposals is that nothing should be destroyed which is compatible with the good government of London, but that, as far as possible, all the powers and privileges of the Corporation of the City of London and of the London County Council should be exercised over the whole Metropolis by one central body, and that in order to make provision for local management in the City similar to that in other parts of the Metropolis the City Commissioners of Sewers should be transformed into a local authority. In making proposals with regard to the County of London it has been kept in view that, unlike the other counties of England, the county of London is practically a town, and as the object of amalgamation is to provide an efficient municipal government for the whole area, it has been thought right that, so far as is convenient, the appointment, qualification, and powers of some of the county authorities, for example, the sheriff, the justices, and the lord-lieutenant, should be assimilated to those of the same officers where they exist in municipal boroughs. Proceeding with the scheme the proposal is that there should be a single municipality, one Municipal Corporation, for the whole area of the present administrative County of London. That area shall be henceforth designated the City of London, and shall be for all purposes a county of itself. I do not know whether the Commission would desire us to explain the grounds on which we came to the conclusion, or whether they would prefer reserving those reasons being assigned until we have been through the scheme itself.

8671. I think you had better go on?—The Corporation shall bear the name of the Mayor and Commonalty and Citizens of London, and shall take the place of the Corporation of the City of London and the London County Council.

8672. The whole area is to be called the City?—The whole area is to be called the City.

8673. What is now called the City would receive a new name?—Yes; that would be as regards the local government for the local authority. But the great object would be to preserve the same title, to preserve its continuity both as regards property and historical associations, and in no way to destroy that continuity, which is held to be of considerable importance. (*Mr. Dickinson.*) I understood what the Chairman asked was what we thought of as a name for the City. We have not suggested any name; but probably some such name as the "Old City" would be suitable.

8674. (*Lord Farrer.*) You would like to preserve to the City something connected with its past history?—Oh, I think so, undoubtedly.

8675. And to use popular language about it?—Yes.

8676. (*Chairman.*) It would be desirable to prevent confusion; if you apply the same name to different places you would be certain to create some

* *See* Appendix XII.

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confusion?—Yes. (*Mr. Dickinson.*) But we think it necessary that the larger area should be called the City.

8677. (*Lord Farrer.*) You think that of great importance?—(*Mr. Harrison.*) We think that of great importance.

8688. (*Mr. Smith.*) And I am glad to see you put the City before the County?—(*Mr. Dickinson.*) That is due to our natural modesty, no doubt.

8679. It follows precedent, the city and county of other towns?—(*Mr. Harrison.*) Yes, the precedents are mentioned in the note. Liverpool was treated in that way by the Act of 1835, and Bristol, and by that Act the old towns took in very much enlarged area, and still went under the title of the City. It is called the City of Liverpool.

8680. And they are still doing it as you say?—They are still doing it, or trying to do it.

8681. (*Mr. Smith.*) Liverpool, I believe, has practically succeeded.

8682. (*Mr. Holt.*) Pretty fairly well?—Then on the constitution of the Corporation of London, the proposal is:—"3. The Corporation shall consist of "the Lord Mayor, Aldermen, and Citizens of London, "and shall act by the Council. 4. All persons in "London who possess the qualification of County "Council electors shall be entitled to be enrolled as "citizens of London. Enrolment shall consist of "registration under the Acts which now apply to the "registration of county electors. 5. The councillors "shall be elected by the citizens from persons having "the same qualification as county councillors now "have, for the same districts for which councillors are "now elected in London, and for the same period—a "period of three years. The Council shall consist of "118 councillors and 19 aldermen—which is the same "number."

8683. (*Chairman.*) As the existing number?—As the existing number.

8684. The existing number for the county?—For the County Council. The City has four representatives on the County Council instead of two, as all other areas have.

8685. Two representatives from each area?—Two representatives from each Parliamentary division.

8686. Each Parliamentary division?—That is the present constitution; and the City has four.

8687. You do not propose any change in that?—No; we do not see that there is much more work to be done on account of the extra area—of course preserving to a local authority jurisdiction for that local area.

8688. And you only take into consideration the changes that may be advisable in consequence of this change?—Yes.

8689. You do not consider any reform that might be suggested or advocated upon other grounds? You do not consider, for example, any reform that might be suggested in the County Council, supposing in this problem of the unification of the City the area were not considered at all?—No, we have not. We have considered that the County Council is a sufficiently large body, capable of doing the work, and that it would not be necessary, with the addition of the City area for City purposes merely, to increase the number.

8690. But without considering whether you want more persons to do the enlarged work, some critics might suggest that the County Council in itself was capable of amendment quite apart from this; but you do not consider, as attached to this question, that it is desirable to enter into questions of that kind?—No, we did not. (*Mr. Dickinson.*) You do not mean in the composition or thequalification?

8691. Or the mode of election, or anything else of that kind?—Well, the mode of election of the County Council is so very similar to the election of the councils of municipal boroughs that I do not know that you could improve upon it.

8692. Some people say it makes a radical difference the fact that the County Council of London is elected all at once every three years, where as in municipal corporations they are elected in thirds every year?—As far as that goes, we think it should be kept every three years.

8693. That is not connected with the problem the incorporation of the City, and therefore you do not consider it?—Yes, that is so.

8694. That is the thing I suggested to you; whatever is to be said in favour of it, that has not been considered?—No. (*Mr. Dickinson.*) No. except that our view is that they ought all to go out, as it is now, every three years.

8695. (*Mr. Smith.*) That is, of course, a point of difference between you and the rest of the municipal boroughs of England?—(*Mr. Harrison.*) Yes. (*Mr. Dickinson*) The difference is that they have not got it, and we have got it.

8696. But I say, in approaching the municipal standard, it is well to know the points of difference? Yes, that is a distinct point of difference.

8697. (*Chairman.*) You commenced your explanatory note by saying, that you are going to follow the general principles of the Municipal Corporations Act?—(*Mr. Harrison.*) I do not think we go quite so far as that. (*Mr. Dickinson.*) "The general principles "of the Municipal Corporations Act are adopted, in "so far as they appear to be applicable to the special "circumstances of the metropolis, and consistent with "preserving the historical privileges of the ancient "government of the City of London, and the "modifications affected by the Local Government "Act, 1888."

That is one of the modifications which in our opinion we think is important.

8698. (*Lord Farrer.*) And a diminution in the number of aldermen?—Also a diminution in the number of aldermen would be the same thing, of course.

8699. (*Mr. Smith.*) Only that your proposals will rather alter your status from a County Council under the Local Government Act, to a new city or rather an old city revived and reformed under the Municipal Corporations Act. At present you are working under the Local Government Act, in future you will be working under the Municipal Corporations Act?—I do not think we shall exactly say that in future we shall be working under the Municipal Corporations Act; we shall be workig under the Local Government Act; we shall have all the powers of a county Council; we propose to retain all the powers of the County Council, because we are bound to have them for the purpose of exercising supervision over the local sanitary authorities; unless we were in the position of a county council we should have no control in the matter of salaries of the medical officers of health, nor in the matter of obtaining reports from these officers in the same way as any other county council. Then we shall not be in the position we hope to occupy, namely, the supervisory authority over the local authorities of London.

8700. (*Lord Farrer.*) You mean that under the Municipal Corporations Act there is no parallel case of one central body supervising other independent corporations in the same town?—Exactly, that is so.

8701. (*Chairman.*) That is not necessarily connected with the problem which I suggest to you, but I do not wish to disturb your confidence that you have got the best of all possible organisations. I only wish to point out that it is not considered by you as pertinent to this problem to enter upon that inquiry?—No. (*Mr. Dickinson.*) It is not exactly that; it is not that we consider we have got the best of all possible organisations, but it is because in looking into the question of London government, we see that it is quite impossible to follow entirely the Municipal Corporations Act; it would not be possible to have one municipal corporation to administer the whole sanitary work in London as elsewhere; therefore we have a special case to consider, and certainly in my own opinion I think the special case of London has been very fairly met indeed by the Local Government Act of 1888, and the subsequent Acts, such, for

instance, as the Public Health of London Act of 1891, which recognise us as holding a position quite different to any municipal corporation, namely, one in which we are interested in seeing that the administrative bodies, the local bodies, do their duty. That is the scheme upon which Parliament has proceeded up to now, and I think we may say we are fairly content with the way in which they have proceeded, although in certain details we think they might have given us rather larger powers under the Public Health Act, for instance, but it would not do, in our opinion, that we should be only a municipal corporation.

8702. No, no one suggests that you will not be a very peculiar corporation in any circumstances, with authority over subordinate bodies undoubtedly which is not possessed by municipal corporations elsewhere; but even allowing all that, the way in which your corporation is constituted, the governing body is constituted, might be open to revision, might be open to amendment, but we do not enter into that question here; you have not entered into it?—We have considered it undoubtedly.

8703. In connexion with this?—In connexion with this.

8704. Work?—That is why we bring in all the powers of the County Council; we lay great importance on this new corporation having all the powers of the County Council, because with those powers we think the new corporation could best carry on the government of London. (*Mr. Harrison.*) When we come to the end of the question of powers under this scheme, you will see that there is nothing taken away from the powers of the County Council, and we have considered it so far that it would be extremely unwise, in our opinion, to lessen those powers.

8705. But that is not at all what I was suggesting, it is not connected with it; you might reconstitute the mode of forming your County Council, so as to make it entirely on all fours with that of the election of the town council of Birmingham or Liverpool, and yet allow the authorities so elected to have the County Council authorities that you possess and any further authorities which it should be clothed with?—(*Mr. Dickinson.*) Well, I think that practically is what we are doing, because the effect of these proposals is that the County Council is to be practically on the same basis that you have mentioned as existing corporations in England. There is very little difference in the electorate, except that we have women to vote in our election, which is an advantage, but, as a rule, we say that we stand exactly upon the same basis of suffrage as the council of any municipal borough of England, and therefore, in preferring to give to the new corporation the existing system of election which holds good with the London County Council, we are practically bringing a new city into line with the existing municipalities as far as their constitution goes.

8706. (*Mr. Smith.*) And you have expressed a strong preference for the system of all going out every three years?—(*Mr. Harrison.*) A very strong one. We have discussed that in the Council. (*Mr. Dickinson.*) We took action on the Local Government Bill on that matter. We presented a petition to Mr. Fowler.

8707. That is very interesting.

8708. (*Lord Farrer.*) When you speak of the powers of the County Council, as a county council, you do not mean that the present powers of the County Council in London with respect to the vestries and district boards are the same as those of a county council with respect to a borough within the county?—Oh, no.

8709. You do not mean to appeal to the analogy of a county rather than to the analogy of a town. (*Mr. Harrison.*) No. (*Mr. Dickinson.*) We got these powers in the first instance under the Local Government Act, because the Local Government Act recognises the County Councils all over the country as being interested in the condition of the local sanitary areas within the county. Under that Act we first of all obtained power of appointing a medical officer of health and obtaining reports from the various medical officers of health. Going upon that basis the Public Health Act of London was framed, and that Public Health Act of London consolidated the Acts relating to the sanitation by local authorities; it also included important sections which recognised the County Council as having power to interfere in case of default and to petition the Local Government Board under similar circumstances, and under these powers we practically assume now the position of central sanitary authority of London, because we have a large public health department in constant communication with all the parishes and all the medical officers of London.

8710. In these respects, and also in other respects, such as those of drainage, for instance, the London County Council exercises a jurisdiction over other bodies in London which is not the least analogous to that exercised by an ordinary county council over the boroughs within the county?—Oh, yes, in certain circumstances the Metropolitan Board of Works had powers, for instance, with regard to drainage they had power to make byelaws.

8711. All I want to get at is that the relation between the County Council and the district boards and vestries is not at all analogous to the relation between an ordinary county council and the boroughs within the county. (*Mr. Harrison.*) Oh, no. (*Mr. Dickinson.*) It is much more effective; of course, it is larger.

8712. Is it not the case that the jurisdiction of the central authority in a large town extends over the subordinate parts of that town, whilst the jurisdiction of a County Council does not extend to independent boroughs within the county?—(*Mr. Harrison.*) Yes, that is so.

8713. Subordinate and independent, we may call them, subordinate but yet independent bodies?—Quite so, it is government more by work than anything else, that which is central and can only be administered from a central authority; that a local authority has not got; that which could be administered locally must be administered locally.

8714. (*Mr. Smith.*) It always struck me as a curious thing that although you have these powers of supervision over sanitary authorities you are not in law a sanitary authority yourselves?—No. I do not know whether I should mention anything about the three years' election, but we feel very strongly about that.

8715. (*Chairman.*) No, not at present.

8716. (*Mr. Smith.*) I hope you will give us some evidence upon that, I should be very much interested to know what you have to say about that, because at present I can hardly conceive it operating in my own town successfully?—I think the Council is unanimous on that point.

8717. Really; I would be very interested to hear it?—I do not think there is the slightest division of opinion.

8718. (*Chairman.*) All authorities are not most authoritative on the way in which they themselves came into existence?—No. (*Mr. Dickinson.*) Personally, I do not base my views upon that subject upon the County Council at all, but I base them upon my experience of the vestries; there we have had experience of the other system, and undoubtedly it has worked badly; probably in first class towns in England it may work differently.

8719. (*Lord Farrer.*) That is a very important point which we may reserve.

8720. (*Mr. Smith.*) I was only suggesting that it might not be overlooked, because I think it is very important.

8721. (*Chairman.*) "If at any time"?—(*Mr. Harrison.*) "If at any time on account of the transfer "to them of the powers and duties of bodies not "dealt with by these proposals, or for other reasons, "the Council shall think fit, they shall have power

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"to frame a scheme for altering the number of the "councillors and aldermen, or either of them. Every "such scheme shall be submitted to the Local "Government Board, and shall take effect if confirmed "by an Order in Council."

8722-4. There is something novel in the suggestion, except so far as it is justified by the extraordinary power within the City?—Yes, we considered that it is advisable to preserve, as far as reasonably may be, the legislative power which the Corporation possesses, by means of which it is able to modify its own constitution; it was the plan which was suggested in the London Government Bill of 1884, in clause 49, which is as follows:

"*a*. The Common Council may from time to time, if they think fit, frame a scheme for all or any of the following purposes:

"*b*. For altering the number of common councillors and of district councillors, so far as may be rendered necessary by any such scheme as aforesaid, or by any change in the population or rateable value, or in the powers and duties of the district councils."

8725. You are taking one of the suggested powers?—There are several; that was an alteration of areas.

8726. And so far you propose that the power should be restricted to the redistribution of the numbers of the councillors, and of aldermen?—Yes, the numbers chiefly.

8727. Numbers only?—Numbers only. (*Mr. Dickinson.*) Numbers only? Yes. This is a very necessary provision, because the population of London changes so much.

8728. It goes unequally?—Even at the present moment the representation is very varied indeed.

8729. (*Lord Farrer.*) This is intended to give power to a borough to add to the actual number as well as redistribute, is it not?—Oh, yes; to add to the actual number. (*Mr. Harrison.*) Certainly. (*Mr. Dickinson.*) I was just saying the variations are enormous, even since the London County Council first came into existence. At the first election I had 12,000 electors in my borough at Wandsworth. At the second election I had 16,000, whereas in many of them I do not suppose they had more than 3,000 or 4,000; at present there are 17,192. That is unalterable, unless we have some power of redistribution.

8730. (*Mr. Smith.*) You think that is a good election area?—Too large.

8731. But I say, taking the parliamentary area returning one member of Parliament, you think that is a good area for electoral purposes?—In the older parts of London, where the population does not very much increase or alter, but in the outlying parts, where the population is increasing it is not so good.

8732. (*Chairman.*) Wandsworth is an enormous parliamentary constituency?—It is the largest constituency in England.

8733. As a parliamentary constituency it is the biggest?

8734. Probably as a parliamentary constituency it should be altered?—That is so.

8735. If a parliamentary constituency could be altered as easily, it would not be amiss to attach the elections of the county councilman to the parliamentary division as a precedent. That, I think, is the question Mr. Smith was addressing to you. Is it judicious to have your county council elected for a parliamentary constituency?—I think so, except that it is so very impracticable to alter parliamentary divisions. If we could alter the numbers in Wandsworth, have four representatives instead of two, we should probably have four representatives for the County Council, but it does not matter so much for Parliament.

8736. (*Mr. Smith.*) Have you considered with a view to convenience of elections it might be suggested. I do not know that it is in my mind at all, but it might be suggested, that you should take the areas of the sanitary authorities, the vestries, and district boards, or something of that kind?—Well, I think for the purposes of election it is well to retain the parliamentary boroughs, because we have the same register.

8737. The same organisation?—Well, the same organisation too.

8738. I think that is what I am told, too?—I think from the point of view of register it is of importance, because you can use precisely the same register.

8739. Yes, I think it is?—And of course it would amount to this, you can simply add to the number of representatives for each place. (*Mr. Harrison.*) Then "6. The Aldermen shall be elected by the Council "from the same persons, in the same manner, and "for the same period as county aldermen are elected, "and their powers and duties shall be the same as "those of county aldermen, but shall be exercised "and performed in respect of the whole of London."

8740. (*Chairman.*) That last means to distinguish them from the present aldermen of the City?—Yes, "7. The Lord Mayor should be a fit person, elected "by the Council from among the aldermen or coun-"cillors or persons qualified to be such. The Queen "shall have the same powers in relation to the Lord "Mayor as she has in relation to the Lord Mayor of "the present City of London, and he may be "admitted into office as the Lord Mayor of the City "of London now is."

8741. You mean she shall have the power of approval or disapproval?—Yes. You will find that the Lord Mayor is now presented to the Queen for admission immediately on his election, that is to say, to the Chancellor as representing the Queen, and on the day after coming into office he is sworn in before the Judges in the Queen's Bench Division of the High Court.

8742. That is an illustration of your desire to keep up the tradition of the past?—Yes.

8743. Otherwise you would recognise that it is departing from the usual conditions of the election of mayor?—Oh, no doubt, quite exceptional, and there is another addition: "He shall be titular "chairman of the Council, but he shall not be "required to preside at the ordinary business "meetings, nor shall it be necessary for him to take "the chair when present."

8744. (*Lord Farrer.*) About that are we to understand then that you would propose that there should be a separate working chairman, or whatever you call it?—Yes, we come to that in a few minutes, a deputy mayor.

8745. The Lord Mayor would be the head of the whole Council; he would have all the ornamental functions of the Lord Mayor?—Yes.

8746. But he would be more like a sovereign?—He would be more like the present Lord Mayor.

8747. (*Mr. Smith.*) He would not be a police magistrate?—No; yes, he might.

8748. (*Lord Farrer.*) I suppose it would depend very much upon his own personal character what amount of influence he might have in the Council?—Certainly, there would be a great deal of purely technical municipal work; he is the representative of the City of London; there would be a great deal to do, and it would be quite impossible, I believe, to find any mayor capable of attending to the administrative work like our chairman; it would be far too laborious, his time could not possible do it.

8748A. (*Chairman.*) And to do other work?—Oh, no, quite impossible.

8749. What is the other work?—Well, often if there is a public movement and the necessity should arise for calling public meetings for this or for that purpose, his time would be occupied with making these arrangements, and organising and starting works, and he could not possibly attend.

8750. (*Lord Farrer.*) It is proposed to keep up a certain amount of the hospitalities of the City?—Certainly, and as the representative of the City, communications with foreign corporations and others, all of which would involve a very considerable amount of his time. I can well see that a great many of these

duties, representative of a large city, involving a great deal of his personal time——

8751. (*Mr. Smith.*) Do you not think there is a little danger in making him too ornamental?—This does not deprive him of being useful. (*Mr. Dickinson.*) The reason why we put this in is, that we base these proposals upon the provisions of the Local Government Act as regards London. Under that Act the chairman is bound to preside if he is in the room at all, and we think that would be inflicting much too great a hardship on a man who has got outside work. I think that the Lord Mayor would very likely preside on occasions, take the chair for a certain time, but he would not be bound to continue the work every week, or every day, and give attention to that. If a man is obliged to preside, then he practically has to attend all the committees. All the chairmen that I have known were at the offices of the Council every day of the week, and both Lord Rosebery and Mr. Hutton attended invariably from 11 o'clock till about 6 or 7 o'clock of the day. It left hardly any time for his outside work. While recognising that we thought it better to divide the duties between two men, the mayor, who would not be bound to, but probably would, take the chair very often, and, on the other hand, the deputy mayor, who should be able to give the chief portion of his time to the ordinary every-day work of the council.

8752. (*Lord Farrer.*) Would there not be this danger, that if the deputy mayor did that he would become the real chief of the Council and that the Lord Mayor would be merely ornamental?—The deputy-mayor probably would be a man looking to the reversion of the Mayoralty in the next year. It would probably be an office to be held annually.

8753. (*Chairman.*) That would not be a more abiding person?—There would be a more abiding person in the deputy chairman.

8754. You still retain him?

8755. (*Lord Farrer.*) And of course there is a further distinction of duties, I will not say division of duties, but distinction of duties between acting as speaker at the meetings of the Council, which is the chairman's business, and taking any large part in the guidance of the business of the Council?—(*Mr. Harrison.*) Certainly, or settling its policy, anything of that sort which means an absolute continuity of work; you cannot just come in attending once a week, and settle the policy; take water, for instance; why it involves a continuous attention, and it therefore wants some chairman whose mind would not be diverted.

8756. The chairman's influence, such as it is, is rather indirect than direct, is it not; it can hardly be said that in the Council, as it is at present existing, the chairman has taken any great part in the direction of its policy?—No, but he has had very considerable influence. He is not like a Minister of the House of Commons, who, if he ceases to have influence, loses place; it happens very often that the Council throw over the chairman altogether. They have done that.

8757. (*Mr. Smith.*) Would you allow me to tell you for a moment what they do in Birmingham? the mayor there is very rarely chairman of any committee during his year of office; he has been chairman of committees during his year but very rarely; but he attends all the committees, and there are often two or three a day, and he sits on the left of the chairman, he seldom interferes in the general business of the committee, unless some question of policy arises on which he is referred to; he would then vote if a division took place, but nothing more; he does not in any way control the committee, and the chairman of the committee in bringing up his report would be considered responsible for it, although the mayor may have been present at the meeting?—That is very much the same as ours; as a rule the chairman does not speak at any committee.

8758. And the mayor does not consider himself committed to the policy of any committee?—No; the chairman very rarely takes part in the Council's discussions.

8759. (*Mr. Holt.*) With us the mayor hardly ever attends a committee meeting.

8760. (*Mr. Smith.*) With us he attends every one.

8761. (*Mr. Holt.*) During his year of office he is simply chairman of the Council and does not initiate any policy whatever.

8762. (*Mr. Smith.*) With us he attends every committee, and, as a rule, attends something like 400 meetings during his year?—In the London Council the rule is that the chairman, deputy chairman, and vice-chairman of the Council are members of every committee and sub-committee.

8763. (*Mr. Holt.*) They are *ex officio*?—Yes, the chairman of the council attends continually; all of them in Lord Rosebery's time or in Mr. Hutton's have attended, and in any policy that they lay down considerable attention and weight is given to their observations as being those of the chairman of the Council.

8764. (*Lord Farrer.*) I think Lord Rosebery used to go to any committee where he thought there was a difficulty in which he could interpose with advantage?—Yes. (*Mr. Dickinson.*) We have 40 committee meetings a week, as a rule; well, it is impossible for the chairman or anybody to be at them all. At the same time the chairman, vice-chairman, and myself, having all the agenda, and being *ex officio* members of them all, read through the agenda, and if there is anything important in any department of ordinary administration we take care that one of us is there to know what happens.

8765. (*Mr. Smith.*) That would include sub-committees?—(*Mr. Harrison.*) And sub-committees also.

8766. With regard to Birmingham, I may mention, Mr. Holt, I do not think the mayor of Birmingham would lose two dozen committee meetings during his year of office.

8767. (*Mr. Holt.*) I do not think I attended one. I went in by accident one day.

8768. (*Lord Farrer.*) It shows how differently affairs can be managed.

8769. (*Mr. Smith.*) A great many of these are sub-committees?—The work has to be divided into sub-committees. Take the parks committee; they call themselves sub-committees of the parks, that is, one takes the north district, another the south, another the east, and another the west, otherwise you could not get over the ground.

8770. I was only anxious that the Lord Mayor should know something of the work of the Council, as well as be the ornamental head?—Oh, certainly.

8771. (*Lord Farrer.*) But, after all, whatever his position, the influence of the mayor must depend very largely upon his own personal character, energy, and ability?—Certainly.

8772. And tact?—Yes; you could not compel him to attend. (*Mr. Dickinson.*) In the Council he is constantly being called upon by the members of the Council privately for advice. The Lord Mayor would be in precisely the same position.

8773. (*Lord Farrer.*) Most useful in composing differences; preventing things coming forward in the Council that it is better to keep out of it?—(*Mr. Harrison.*) No doubt.

8774. Useful also in all kinds of appeals for charitable objects?—(*Mr. Dickinson.*) We look to the Lord Mayor for a working Lord Mayor, but we do not want, at the same time, to tie him down to restrictions that would compel him to work.

8775. The main point that I wanted to get out was this: that neither the chairman nor anyone occupies in the Council anything analogous to the position of a Minister with a Cabinet in the House of Commons?—(*Mr. Harrison.*) Oh, no.

8776. He is there dependent upon the vote of the majority, and he, if he is thrown over, ceases to hold his position; there is nothing of that kind?—Oh, no;

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and you know the chairman never intervenes in debate; he is speaker.

8777. He is speaker in the chair. He never takes part when in the chair. He takes no part in controversy, unless he sees anything going contrary to standing orders or rules, or where he thinks it wise to postpone a debate, or something of that kind?—Yes.

8778. You said he never intervened?—That is too strong.

8779. (*Lord Farrer.*) And the chairman is known to have a power to intervene in such cases?—Oh, yes. Then the mayor that we propose by these proposals will "be the official representative of the people o "London, and except as is otherwise provided by "these proposals, he shall exercise and enjoy all the "personal rights, offices, dignities, and privileges "which now belong to the Lord Mayor of the present "City of London by custom, charter, or law." The "privileges," so far as we have been able to ascertain them, are these: "He has the right to Maces; he is "summoned to the Privy Council on the demise of "the Crown; he receives a golden tankard, and acts "as chief butler at a Coronation Banquet; he is com- "municated with by the Home Secretary on the "occasion of births, deaths, and other important "events in the Royal Family; he is coroner, escheator, "and clerk of the markets of the City of London, and "Admiral of the Port of London; he is chairman "of the Thames Conservancy Board; a trustee of "the fabric of St. Paul's Cathedral; head of the "Royal Hospitals, and a member of the governing "bodies of a number of charitable institutions." It would be rather a wrench, possibly, to put a stop to that all at once. We wish to keep up the old rights.

8780. (*Lord Farrer.*) You are very strong indeed, are you not, and you believe the Council generally is strong, in favour of keeping up all the dignities and the historical privileges of the City of London?—Very strong indeed.

8781. So as to have no discontinuance of the past?—Certainly; we desire to have continuity, and although you are making a reformed Corporation, as far as the Corporation name and privileges exist, so long as they are not inconsistent with modern ideas, we desire to preserve them. "He shall be a justice of "the peace for the County of London during his year "of office, and, if not disqualified, for one year after. "That is under the existing statute."

8782. (*Mr. Smith.*) But that means that he would only discharge non-judicial duties, does it not?—No; he would be a justice of the peace then for Middlesex Sessions.

8783. He might go to Middlesex Sessions, might he?—London Sessions, I mean; they used to call them Middlesex.

8784. He would have no more of that police magistrate work?—No, we propose to deal with that. "His name shall be included in the commissions of "oyer and terminer and gaol delivery for the district of "the Central Criminal Court." That is under statute. We do not desire to alter the present state. "He "shall during his term of office be the lord lieutenant "and *custos rotulorum* of the County of London." The lieutenancy of the City of London is in commission, and the Lord Mayor at present is at the head of that commission. This proposal is intended to preserve this privilege and dignity as far as is convenient, it is suggested by the precedent of Edinburgh, where the Lord Provost exercises all the functions of the lord lieutenant of the City.

8785. (*Lord Farrer.*) Has not that been done for Glasgow in a recent private Act?—No, I believe not. (*Mr. Dickinson.*) Glasgow has been constituted a county at large. (*Mr. Harrison.*) Edinburgh is the only precedent. (*Mr. Dickinson.*) We attach a great deal of importance to this proposal, because we are very anxious to make the position of Lord Mayor of London really the chief position in the county.

8786. (*Chairman.*) You have, at present, a Lord-Lieutenant of the County of London?—Yes, the Duke of Westminster.

8787. And he would be displaced by this proposal?—Yes.

8788. (*Lord Farrer.*) Has he any active functions, the Lord-Lieutenant of the County of London?—Well, he recommends magistrates as *custos rotolorum*. He has some functions with regard to the militia. He recommends to first Commissions in the militia. (*Mr. Harrison.*) "The Mayor may receive such "remuneration or allowance for the expenses of his "office as the Council think fit."

8789. (*Lord Farrer.*) There you contemplate the Council giving him some allowance for hospitalities and matters of that kind?—Yes, certainly.

8790. And you think the present Council would agree to that?—I do. It was a proposal in the Act of 1884, and I think that the majority of the Council would certainly advocate that.

8791. (*Mr. Smith.*) This was the suggestion of the Act of 1884. It was not a fixed sum; it was such remuneration as you think fit?—Certainly. It was absolutely in our power, and every councillor would therefore have a right and power to vote, and to control by his vote the sum to be voted.

8792. (*Chairman.*) There is a similar power in all municipal corporations, is there not?—It is not quite so large as what would be proposed.

8793. What are the limitations at present?

8794. (*Mr. Smith.*) You may pay a salary to the mayor?—You may pay a salary to the mayor.

8795. We may pay a salary of any amount, I take it?—You see there is corporate property which they may dispose of for this purpose.

8796. (*Chairman.*) The resources of the proposed corporation may be greater than those of others, but the present law allows, as far as I know, the municipal corporation of any town to give its mayor an allowance?—Oh, yes.

8797. (*Mr. Holt.*) To be levied on the rates; not unless there are corporate estates.

8798. (*Lord Farrer.*) Not out of the corporate property?

8799. (*Mr. Holt.*) But not out of the rates.

8800. (*Mr. Smith.*) It may be levied on the rates?—(*Mr. Dickinson.*) The chairman of the County Council has power to have a salary. (*Mr. Harrison.*) The Act of 1888 gave that power. That was exceptional, because the chairman of the Metropolitan Board of Works was paid. Then, for the work internally, "8. "The Council shall annually elect (*a*) a deputy-mayor, "who shall have all the powers of the chairman of a "county council under the Local Government Act, "1888. He shall be a fit person elected from among "the aldermen or councillors or persons qualified to "be such; (*b*) A vice-chairman, who shall be a fit "person elected from among the aldermen or "councillors."

8801. (*Chairman.*) "Fit person" is a technical phrase?—(*Mr. Harrison.*) Yes, following the words of the Act. (*Mr. Dickinson.*) These are the same words as the Local Government Act of 1888. We simply use the same words.

8802. They were used before that Act?—Oh, yes.

8803. (*Lord Farrer.*) You would retain the vice-chairman; I ask the question because I thought myself rather a superfluous person when I was vice-chairman?—You are the only person on the Council who did. (*Mr. Harrison.*) "(*c.*) A deputy "chairman, who shall be a fit person elected from "among the aldermen or councillors, or persons "qualified to be such." Those officers correspond to our present chairman, vice-chairman, and deputy chairman, and, in our opinion, they would be all necessary for the efficient conduct of the business of the new corporation.

8804. Before you leave that, in that respect the London County Council differs a good deal in practice from many of the municipal corporations, where the head of the staff is the permanent town clerk?—Yes.

8805. Are you of opinion that from the working of the council it is better to have the permanent head of

the staff a member of the Council rather than a permanent officer?—We think so.

8806. Is that a point that your committee have considered, and come to a very clear conclusion upon?—I think you may take it that we have. We have discussed this a great deal, and of course we have a Clerk of the Council; but, throughout, our feeling has been that the administration, and the whole of the administration, should be entrusted to councillors, and not to anybody occupying an official position.

8807. The Clerk of the Council in London does not at all occupy the same position that a town clerk does in an ordinary Municipal Corporation?—Oh, no.

8808. In fact he is hardly as important an officer as some of the other officers of the County Council?—But throughout the whole, our feeling, I think, almost unanimously, is that the supervision of the heads of departments should be done by a councillor.

8809. (*Mr. Smith.*) This gentleman has to be paid?—Of course we pay our deputy-chairman.

8810. Then supposing that a deputy-chairman, who was most competent, like the present, failed to be re-elected, then some perfectly new man would have to take command of the ship?—Yes.

8811–4. He might or might not have had any administrative experience?—Yes. Well, it was debated last year about making these posts of the Council change every year, following the analogy of the mayors; and in that way the expression of opinion amongst many of the councillors was, that even a paid deputy-chairman might be changed, that there were other councillors who would come forward, and it was a good thing for the council that every officer should be changed.

8815. Let me put the question in another way. Would you wish to determine this by anything adopted from our report into an Act of Parliament, or would you rather leave it in the option of the Council to act in that matter as they might think best from time to time?—(*Mr. Dickinson.*) Leave it to the Council. (*Mr. Harrison.*) Leave it to the Council absolutely.

8816. I mean, by putting it here, you do not mean that we should make a recommendation that should be put into an Act of Parliament?—Oh, no. (*Mr. Dickinson.*) As regards administrative work, our administrative work differs a good deal from other town councils, although in very large towns, like Liverpool and Birmingham, they must approach our work to some extent. But our work is so enormous that departments are quite separate. They carry on their own correspondence entirely. Letters go to the Engineer's department, and there they are dealt with; letters go to the department of the Medical Officer of Health, and there they are dealt with. The Clerk of the Council only deals with committees, and, therefore, in that respect I think we differ entirely. It may not be absolutely necessary; but I should think it was necessary from the magnitude of our work and from the fact that it has grown up from the Metropolitan Board of Works, namely, having all these various departments, and having good men at the head of each. And then the question is whether it would work to have a town clerk over these men. I may say that the present system works very well indeed, because all these heads of departments, of whom there are 14, come to the deputy chairman of the Council in rather a different way to that in which they would go to a town clerk.

8817. (*Mr. Smith.*) I think you will pardon me, but you seem a little confused about that. I do not consider, as town clerk of Birmingham, that I have any control over the medical officer of health, or the surveyor, or any officer of that character. All I have control over is my administrative staff; and I am generally responsible for the corporation in intervals of business; and then, of course, I do all their legal work?—(*Mr. Dickinson.*) Do not all letters go to you?

8818. Of course the departments all receive their own letters; nothing comes to me practically but official and legal business?—(*Mr. Harrison.*) We have discussed this point a good deal, because we have tried to re-organise, once or twice, our solicitor's department and the management of our legal business. The death of our late solicitor brought this question up. We have had committees upon that, and very carefully considered it, and we have been against establishing any similar office to that of town clerk. In fact, the legal department could not well be done in that way, because I think our expenditure is something like 12,000*l.* a year, and I think we have got about 25 solicitors. You see the street improvements depend upon the conveyancing department entirely. Well, then, we should require to have a solicitor there. The contentious business is not very large, but there is an immense quantity of legal business—looking into Acts of Parliament, tramway purchases, gas questions, health questions, arrangements of wards, penalties in the police courts to be sued for, Building Acts—all these are told off to head branches; and you can get a very good solicitor, at a fairly good salary, for each one of those branches. But there is a great feeling against it in the staff; and the committee that sat upon it found that it was inadvisable to have any central head paid similarly to a town clerk, and we have more than once considered the question.

8819. (*Lord Farrer.*) It throws an immense burden upon the deputy chairman?—Oh, no doubt, and except we had got the present deputy chairman I do not know where we should be.

8820. A very heavy burden indeed.

8821. (*Chairman.*) The deputy chairman necessarily not being assured of permanence, it seems to involve a question of risk of efficiency?—(*Mr. Dickinson.*) We have had a good many changes; we had three deputy chairmen, Mr. Firth first, and then Mr. Haggis, who both unfortunately died; these changes have taken place. Of course, on the Metropolitan Board of Works the same thing practically happened, because the chairman of the Board was paid, and he was always there and responsible; he was in constant communication with the staff, which is the same as I am. (*Mr. Harrison.*)

"9. All provision now in force with regard to the "County Council elections, including provisions as "to the ballot, corrupt practices, and election peti- "tions, shall apply to the election of members of the "new corporation of London."

The witnesses withdrew.

Adjourned till to-morrow at 11.0 a.m.

NINETEENTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Saturday, 17th February 1894.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER. | MR. EDWARD ORFORD SMITH.
MR. ROBERT DURNING HOLT. |

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

Mr. C. Harrison, and Mr. W. H. Dickinson.

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MR. CHARLES HARRISON, Vice-Chairman of the London County Council, and MR. W. H. DICKINSON, Deputy Chairman of the London County Council, re-called and further examined.

8822. (*Chairman.*) We now proceed to describe the powers to be inherited and preserved?—(*Mr. Harrison.*) "The new Corporation of London, acting "by the Council, shall, save as otherwise provided by "these proposals, have and perform in respect of the "whole area of London, all the powers, duties, "rights, and privileges of the London County "Council." A list of these has already appeared in the papers which have been laid before the Commission, and I can give, if necessary, to put on the notes, a short summary of them; they appear on pages 10 and 11. "Administrative work;" "Powers over "the actions of the local authorities; "Powers of "licensing and registration;" "Powers of giving or "refusing consent;" "Powers of inspection;" and "Powers of making byelaws;" "The duties of "watching generally over the public interests;" and "Finance." I can enter into detail if you desire it.

8823. You have already given evidence at length as to the powers?—Yes.

8824. I think that summary is sufficient?—"All "the powers, duties, rights, and privileges of the Cor- "poration of the present City of London, and any "member thereof, in so far as they are not incon- "sistent with these proposals, including those of the "following authorities and persons:—

"(*a.*) The Common Council of the City, including the legislative power of the Common Council provided that any proposal involving an alteration of the constitution of the new Corporation of London shall be submitted to the Local Government Board, and shall not take effect unless approved by that Board, and confirmed by an Order in Council.

"(*b*) The Court of the Lord Mayor and Aldermen in the Inner Chamber, except their powers and duties which are elsewhere exercised by the justices, in session or out of session.

"(*c.*) The Aldermen in so far as their powers are non-judicial, but the present powers and functions of the Aldermen in connexion with the wards of the present City shall cease to exist.

"(*d.*) The Court of Common Hall.

"(3.) Those powers and duties of the City Commissioners of Sewers which elsewhere in the Administrative County of London are now exercised by the County Council."

8825. (*Lord Farrer.*) You propose very distinctly to preserve to the new council the legislative power?—Yes, as to the alteration of the constitution, but then any alteration by act of Common Council would be subject to the approval of the Local Government Board confirmed by Order in Council.

8826. (*Mr. Smith.*) That is a check that does not exist at present within the City?—That is a check that does not exist at present within the City, they have their own inherent legislative powers in that respect.

8827. (*Chairman.*) You do not say there is no check at present on their legislative powers?—No, there is. I do not want to enter into a point of law, but it has been suggested that the fact that there were alterations by the Act of 1725 and the other reform Acts has deprived the Common Council of that legislative power which they had up to that date possessed. Mr. Pulling argues that point in his book; he considers that the power is not destroyed in law, although it was made the subject of statutory modifications from 1725 onwards.

8828. But antecedent to that a legislative power was meant subject to certain conditions which might cause any act of that power to be examined by a court of law as being inconsistent with the legislation referred to?—Of course every act of legislation would be open to contests in the courts of law. I think Mr. Kemp gave me an authority once of the court deciding in favour of the Court of Common Council. The cases are all stated in Pulling.

8829. It is not necessary to go into it at length?—Then we should preserve the Court of the Lord Mayor and Aldermen in the Inner Chamber, except their powers and duties which are elsewhere exercised by the justices in session or out of session.

8830. (*Mr. Smith.*) You would preserve those?—We should preserve those.

8831. (*Chairman.*) We are going through these in connexion with your notes in some detail presently; will you go on generally?—Yes.

"Those powers and duties of the City Commis- "sioners of Sewers which elsewhere in the Admini- "strative County of London are now exercised by "the County Council." There was given on page 24, document I., a list of the powers of the County Council exercised in the County but stayed in respect of the area of the City; that list states the different subject matters, and these proposals would cause these central powers which are now in the Administrative County and which are stayed at the City boundary to be vested in the new Corporation, leaving the local authority with all existing powers other than those central powers so transferred. Then "the right of "representation upon any joint committee of any of "the above-mentioned bodies and any other body;" the object of that being to preserve the right of nomination to trusteeships and official positions which are now vested in the Corporation.

8832. (*Lord Farrer.*) Do you apply that to every function of that kind which the Corporation now exercises?—Yes. For instance, I might take the right of nomination on the Thames Conservancy; the Corporation has a certain amount of nomination that would be preserved under this provision.

8833. (*Chairman.*) Let us consider now in detail what you mean by the transfer or handing over of the powers, duties, and rights and privileges of the Common Council of the City?—The Common Council exercises many statutory powers within the City

which the London County Council exercises in the county of London outside the City.

8834. Those you need not go through in detail?—I need not go perhaps into detail.

8835. That would be a matter of course?—Those are transferred.

8836. (*Mr. Smith.*) That would follow from your assumption of a municipal authority over the whole of London independently of any powers of the London County Council?—Yes. By charter and otherwise they have certain rights.

8837. (*Chairman.*) And it would follow from what you have assumed to be done already, if the Corporation inherited all the rights, powers, and duties of the County Council that would come within the City—those rights which are now exercised by the Corporation within the City and are the same as those exercised by the County Council outside the City?—No, they are larger in the City; for instance, I may take as illustration the powers and duties as Port Sanitary Authority.

8838. That may be, but you are now dealing only with the rights, powers, and duties which the Common Council exercises throughout the City, the transfer of course is unnecessary because that follows from the first?—Oh, of course. It is needless to enumerate these again as, whatever body they were transferred to, they would be exercised by the new Corporation over the whole area of London for the benefit of the whole area. These powers and duties are (1) all powers of the Common Council with regard to the property of the City Corporation, including its trust estates.

8839. (*Lord Farrer.*) Including its trust estates, by those do you mean the Bridge House Estates?—Yes, and statutory. I call it trust whether it is created by instrument or statute.

8840. Do you include their charities or do you keep them separate?—(*Mr. Harrison.*) It is all included.

8841. The whole of the estates?—The whole of the estates.

8842. The Gresham for instance too?—Yes.

8843. And the City of London School, if there is anything?—Everything of that sort, and including its trust estates. All powers with regard to the City Police and as police authority under the Riot (Damages) Act, 1886. The powers of this Act are exercised outside the City by the Receiver of the Metropolitan Police.

8844. You recommend that the new council shall inherit or take over from the City the management of the police within the City?—Yes, and be the police authority under the Riot (Damages) Act, 1886.

8845. (*Mr. Smith.*) You deal elsewhere with the larger question of the police, I suppose?—Yes.

8846. Later on?—Only as regards the City. (*Mr. Dickinson.*) The powers of the Riot (Damages) Act are exercised outside the City by the Receiver of the Metropolitan Police. This refers only to the City, the future administration within the City.

8847. (*Chairman.*) The latter part, does that also refer only to the City?—Yes.

8848. Then you do not deal anywhere with the question of the police in this memorandum?—Not the Metropolitan Police. (*Mr. Harrison.*) All the powers with regard to markets.

8849. (*Lord Farrer.*) All the powers with regard to markets, and all property arising from markets, I suppose?—Yes, we deal with property separately; these are powers with regard to the establishment of markets under charter or otherwise, or under statute, and those would be all vested and extended to the new extended area.

8850. And so that if there were any surplus from the markets it would go for the benefit of the whole area?—Yes.

8851. And not for the benefit of the City area alone?—Subject, of course, to any mortgages or charities.

8852. Subject to any debts, of course?—Subject to any debts.

8853. (*Chairman.*) No surplus could arise till these had been satisfied?—There is no surplus at present. Management and control of London, Blackfriars, Southwark, and Tower Bridges. All powers and duties as Port Sanitary Authority. All powers with regard to foreign cattle. Gardens and open spaces.

8854. (*Lord Farrer.*) That is Epping Forest, Burnham Beeches, and so on?—Yes, everything outside the county which they now have, all those powers.

8855. And you would include such spaces as St. Paul's Churchyard?—Yes, everything, and powers also which enable them to acquire outside the county, and within 20 miles, I think it is, of London.

8856. Powers which the County Council have not now?—Ecclesiastical patronage.

8857. (*Mr. Smith.*) Well, as to that, I suppose you would be subject to the provisions in the Municipal Corporations Act of 1835, which direct ecclesiastical patronage in the hands of corporations to be sold?—Yes.

8858. Would you find some difficulty in exercising it?—It may be in regard to the use.

8859. I think it is quite clear that any statute affecting these powers would contain such a provision; I remember such a provision in the Act of 1835.

8860. (*Lord Farrer.*) It is not a thing you think that the council would be very desirous to exercise?—I do not think it would.

8861. (*Mr. Smith.*) Or particularly competent?—I do not know. Powers and rights with regard to the City Courts and the London Chamber of Arbitration. Any ecclesiastical patronage powers under the London (City) Improvement Act, 1847.

8862. (*Lord Farrer.*) The City Courts, that you would extend to the whole of the City Courts, would you?—Well, we deal with that afterwards, but we should have to have whatever rights the Corporation have; with regard to these courts they must come over.

8863. (*Chairman.*) Though possibly the courts might be reorganised concurrently with the transfer?—They might. We deal with that later on, I think you will find.

8864. Very good?—Any powers under the London (City) Improvement Act of 1847, that is a special Act.

8865. (*Mr. Smith.*) What powers are those?—It was an Act of 1847 which enabled in substance the City to acquire Cannon Street property to be taken for that particular street, the compensation to be assessed once and for all, and when it had been once ascertained what the value was, leaving the several interests to apportion it amongst themselves. It is of considerable value in that respect, because you may acquire a leasehold interest, and that leasehold interest you have to settle before one jury, and then the freehold or some other interest before another jury, and the total of these, with the various sets of costs, will come to a great more than the acquisition of the entire property.

8866. You pay this money into court and let them scramble for it?—There is one inquiry, and although that was an Act applicable to Cannon Street only, in every Act that the City have obtained for the acquisition of property they have referred to the clauses, so that those clauses should be kept alive with regard to that, so that they are in a most favourable position with regard to compensation.

8867. It is a very favourable power no doubt?—Yes.

8868. (*Chairman.*) And you extend that to the whole area of the London County Council?—We extend that to the whole area of the London County Council.

8869. It opens a very large subject indeed?—Its defect, of course, is that you can only take under that Act the particular site required. All powers of appointing officers, including the high bailiff and the coroner of Southwark.

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8870. (*Lord Farrer.*) Do you think it is desirable to keep them?—Well, we do not desire in this scheme to reform every little item of account, that must be done by a District Councils Bill subsequently; we could take up those fringes, if I may call them so, afterwards.

8871. (*Mr. Smith.*) I take it this is merely a desire on your part to have all the powers that are at present exercised in the City, unless the Legislature in their wisdom think it right in the Act constituting this change to treat some of them as spent or unnecessary?—Yes, we regard some of these as beneficial.

8872. Yes?—Beneficial powers.

8873. Yes?—And if so they ought to be extended to the whole area.

8874. Only that it occurs to me that it would be desirable that if there are any obsolete functions that it would be well to dispose of them in the important Act that would have to be carried to create the new body?—Then it would require careful investigation.

8875. No doubt?—Historical and otherwise.

8876. (*Chairman.*) You admit it would probably be necessary, say highly desirable, that we should see some special provision with regard to ecclesiastical patronage?—Oh, clearly.

8877. And so it might be highly desirable, and even necessary, to provide for the high bailiff of Southwark?—(*Mr. Dickinson.*) At a later stage we propose to abolish the Court of Hustings. (*Mr. Harrison.*) At a later stage. Powers as local authority under the Public Libraries Acts, if adopted.

8878. (*Lord Farrer.*) Would you propose to take that away from the body which has the local government of the City?—I think so; we have considered that.

8879. Is not that a power possessed by the vestries and district boards in other parts of London?—It is, but in the City of course they have got their City Library, and they have attempted to establish the application of the Public Libraries Act, which of course allows books to be lent, and that attempt has been unsuccessful.

8880. (*Mr. Smith.*) But it is not an area very well situated, is it, to the establishment of free libraries, the City, considering the nature of its population?—I should say so. I think you will find that stated in the City case, and you will see in that the library is very largely used.

8881. (*Lord Farrer.*) It is a very good library?—Oh, a very good library.

8882. And very liberally managed?—Very liberally indeed. (*Mr. Dickinson.*) We discussed this a good deal, and this is the reason why we proposed that there should be this difference. There are these two libraries in the City, and we think that the Corporation of the new City of London ought to have the Guildhall Library and Museum in their hands; and having this, we think it would be very much better if they had the whole administration of the Libraries Act within that area. (*Mr. Harrison.*) It is not merely a modern library, it contains a great many historical and other documents, and it has records of all the newspapers published in various times.

8883. (*Mr. Smith.*) You would take it over as part of the Corporation property, as it were?—As part of the Corporation property.

8884. (*Chairman.*) It might still be open to consideration whether the local authority within the City might not have a library power?—Oh, that would be quite possible. Then the Common Council has also powers and duties with regard to the management and control of certain educational establishments under particular statutes or otherwise (including the City of London School, the City of London School for Girls (Ward's), the Freemen's Orphan Schools, the Guildhall School of Music, and the Guildhall Library, Museum, and Art Gallery), these would fall into the general educational work carried on by the new Corporation as successors to the County Council under the Technical Instruction Acts, 1889 and 1891. The Technical Instruction Acts are now being administered by the County Council.

8885. (*Lord Farrer.*) All these—the City of London Schools—are perfectly general and open schools are they not?—Yes.

8886. Well, with limitations?—With limitations, yes.

8887. There is a preference in the case of the Freemen's School, a priority being given to the children of freemen?—Yes, but of course that is dying out.

8888. That is not very important?—It is there; no, it is not very important.

8889. The Freemen's Orphan School, is that a matter that affects the people generally, or entirely the freemen of the City of London?—Entirely the freemen of the City of London.

8890. (*Chairman.*) These schools would be taken on, at least at first?—Yes.

8891. Under the conditions and subject to the trusts under which they are at present administered so far as there are any trusts?—Yes.

8892. If it is an absolute and uncontrolled discretion of the City, it would become an absolute and uncontrolled discretion of the Corporation?—Of the new Corporation, yes.

8893. Legislative power?—Then, dealing with legislative power, the Common Council by custom confirmed by Charter of 15 Edward III. obtained power where any custom theretofore used and obtained proved hard and defective, or any matters newly arising within the City needed amendment and no remedy had been previously provided, to apply and ordain a convenient remedy as often as it should seem expedient, so that the same were agreeable to good faith and reason, for the common advantage of the citizens and other liege subjects sojourning with them, and useful to King and people. The memorandum which we have handed in to the Commission refers to it at pages 12 and 18 of A., and that explains what is meant by the legislative power of the Common Council; then, of course, this is subject to the proviso in the scheme that any such Act of the new Corporation should be subject to the Local Government Board's sanction and to Order in Council.

8894. (*Chairman.*) And then this proviso as to its being agreeable to good faith and reason, for the common advantage of the citizens and other liege subjects sojourning with them, and useful to King and people; would that be considered as still surviving and of effect?—Yes.

8895. If in respect to the future exercise of the legislative power it is made subject to the approval of the Local Government Board and the sanction of Order in Council, would the implication involved in the condition that the exercise of it should be agreeable to good faith and reason, for the common advantage of the citizens and other liege subjects sojourning with them, and useful to King and people, be surviving and effective or would that become bad?—(*Mr. Dickinson.*) This only refers to the exercise of any new power altering the constitution of the Corporation. (*Mr. Harrison.*) Certainly.

8896. It applies to custom, does it not?—(*Mr. Harrison.*) No, we deal with custom afterwards distinctly as a separate subject. (*Mr. Dickinson.*) It is on page 9 that we set that out.

8897. Yes, it is comment upon the explanation of that, that we are dealing with?—(*Mr. Harrison.*) The words on p. 9 are "The Common Council of the "City, including the legislative power of the Common "Council, provided that any proposal involving an "alteration of the constitution of the new Corpora-"tion of London shall be submitted to the Local "Government Board and shall not take effect unless "approved by that Board and confirmed by an Order "in Council."

8898. Then any other exercise of legislative power would not be subject to that proviso?—(*Mr. Dickinson.*) No. (*Mr. Harrison.*) No. Then that

proviso was in section 49 of the Local Government Bill of 1884. With regard to the powers of the Court of the Lord Mayor and Aldermen in the Inner Chamber, except their powers and duties which are elsewhere exercised by the justices in session and out of session, what is meant by that is, that the following powers are included. Power to remove the Commissioner of the City Police for misconduct or other reasonable cause. Power to petition along with the Court of Common Council that the Commissioner be appointed a justice of the peace for the City and liberties. Power to approve rules and regulations of Commissioner for general management of the force. Power to approve regulations of Commissioner as to route of traffic in City.

8899. You think those powers should be handed over as they exist?—As they exist.

8900. From the Court of Aldermen to the new Corporation?—To the new Corporation, this being part and parcel of the existing powers vested in the Corporation, with regard to the City Police.

8901. (*Lord Farrer.*) Power to approve rules and regulations of Commissioner for general management of the force. Power to approve regulations of Commissioner as to route of traffic in City. Is there any such power in the hands of the Metropolitan Police outside the City?—Yes, I think there is a similar clause outside.

8902. Neither the London County or the vestries have anything to say to it?—No; not anything to say to it. It has nothing to do with the vestries. Then as regards the powers as to the City Companies. Power to grant livery, power to fix numbers of livery. How far or to what extent that might be legally capable of being exercised I do not venture an opinion, it is very doubtful.

8903. It is a power that exists, and you enumerate it among other powers?

8904. (*Lord Farrer.*) It is not a power to which you would attach very much importance?—Oh, very great. It would be a power under which the number of livery might be absolutely fixed by the new Corporation, and that is an existing legal power.

8905. (*Mr. Smith.*) You will pardon me saying that the whole of your proposals—I quite understand them—I think that the whole of your proposals are to take over the powers of the old corporation without subjecting them to the reforming influence of the Municipal Corporations Act?—I did not know that any other municipal corporation had stood in relation to guilds in the way that this does.

8906. Well, Bristol had some very peculiar relations to guilds?—That I do not think was quite the same.

8907. No, but this is only an illustration; you are rather seeking, are you not, to take over all the powers that the City at present possesses, and one cannot forget that the City has never yet come under the purview of the Municipal Corporations Act?—To a certain extent that is true; but we must bear in mind that the City of London Corporation is exceptional, and there are exceptional circumstances, and this inquiry does not purport to deal with guilds, or the relation of the Corporation to guilds.

8908. Oh, exceptional, no doubt; but the Commissioners of 1837 reported in general terms that in their opinion there was no reason why the same process that had been applied to other corporations should not be applied to the Corporation of London?—(*Mr. Dickinson.*) We are not ignoring that.

8909. It is sufficient for me that we understand each other; that you admit that is the case?—(*Mr. Harrison.*) Oh, not at all. (*Mr. Dickinson.*) We do not attempt in these proposals to follow out fully the principles of the municipal reform laid down in the Municipal Corporations Act; when this question comes before Parliament it is possible that Parliament will do away with guilds, but then if guilds are not to be done away with we think we ought to have that power of control over the guilds which the Corporation have.

8910. (*Chairman.*) Well, one does not know what modifications you propose afterwards to introduce, but it seems here, at all events, that you are proposing to inherit the powers of the Corporation without letting, we may say, the light of the 20th century flow upon it?—I do not know that there might not be many of these things that the light could not flow upon.

8911. (*Lord Farrer.*) Have you formed any idea what power this would give the new Corporation of interfering with the guilds?—I believe it has power to fix the number of livery when a new one is formed. I believe that is what it comes to ultimately.

8912. (*Chairman.*) Do they not increase the livery?—(*Mr. Harrison.*) Yes, they do sometimes.

8913. (*Mr. Smith.*) I think it is rather present in my mind, because I have lately been undergoing a course of reading of the report of the Commissioners of 1835, and I have looked into some of the evidence given with regard to the particular cities and boroughs that came under that reference. It is astonishing what a strong family likeness there is in many of the old cities to many of the privileges of the City of London, not all, I admit, but a great many were of great antiquity, and, to use a common expression, seem to have been baked in the same oven?—No doubt they rather construed the reference and understood that the inquiry was directed so as to leave and not touch, at all events, the City guilds, in many of those bodies which would have been dealt with under the Act of 1835 in any other corporation, and if we are compelled by the terms of reference of the Commission or otherwise to leave those bodies extant it is necessary to take that condition of things into consideration.

8914. That the touch that exists between them and the Corporation should not be destroyed?—Should not be destroyed. Then as to the appointment of officers. Right to appoint the Recorder, the Steward of Southwark, the clerks and assistant clerks at the Mansion House and Guildhall justice-rooms, and certain subordinate officials.

8915. (*Chairman.*) I presume we come to some detailed examination of those justice-rooms?—We do. Powers of spending money. The powers of the Court of Aldermen as to elections will be superseded by proposal 9.

8916. (*Lord Farrer.*) Powers of spending money, whatever limited powers the Court of Aldermen possess, you would propose should go to the new Corporation?—Yes.

8917. Without the checks to which the spending of money is subject by the Local Government Act and otherwise?—Well, I think you will find that dealt with when we deal with the property and finance.

8918. It is a very limited power?—It is a very limited power.

8919. This power of the Court of Aldermen?—It is a very limited power indeed. Then the powers of the Court of Aldermen which are exercised in the County of London outside the City by the justices of the County of London will be exercised by the justices of the extended City and County of London. With regard to the powers of the Aldermen in so far as they are non-judicial, and the vesting of those in the new Corporation, there is a power at present for any three Aldermen to approve rules and regulations made by the Commissioner for the management of the City Police Force. The Alderman of Billingsgate is the Governor of the Fellowship Porters, a body, I understand, that are about to wind up and dissolve. The Aldermen are on the Commission of Lieutenancy of the City, but it is proposed to abolish this Commission. A certain number of Aldermen are entitled to be members of certain statutory boards and governors of certain charitable institutions, as to which see the next proposal. The other powers and duties of Aldermen are either of a judicial nature or are connected with their particular wards. With regard to the powers of the Court of Common Hall, they at

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present embrace the election of two persons from whom the Court of Aldermen elect the Lord Mayor.

8920. That would disappear?— That would disappear.

8921. Because you provide for the election of the Lord Mayor in another fashion?—In another fashion. They also elect the Sheriffs, the Chamberlain, the Bridgemasters, the Auditors of the Chamberlain's and Bridge House accounts, and the Ale-conners.

8922. You would propose that the power of the election of sheriffs should go over to the new Corporation?—Yes. The election of the Lord Mayor is provided for by proposal 7, and the appointment of, the Sheriff by proposal 32.

8923. (*Lord Farrer.*) You deal with the Sheriff afterwards?—We deal with the Sheriff afterwards. The election of the Lord Mayor is provided for by the proposal which I have mentioned,—proposal 7—and the appointment of the Sheriff we deal with hereafter by a subsequent proposal. The other officers elected in the Court of Common Hall would in future be appointed by the Council of the new Corporation.

8924. I suppose, according to your scheme, it would not be necessary that the Chamberlain should exist any longer; how would that be?—Well, it is a matter of title. I think that he would be. I think we should call what is now our Treasurer our Chamberlain. I should be personally strongly in favour of keeping up the title of Comptroller and Chamberlain, and of course our Treasurer at present is the London and Westminster Bank.

8925. (*Chairman.*) You want a flavour of the memory of the Corporation?—Exactly; and I think I may say that we do not wish in any way to make suggestions or proposals which would encourage hostility in the matter of the preservation of names.

8926. Your idea would be that if the Chamberlain were continued he should be an officer who should have charge of all the moneys for the whole of London? Oh, yes.

8927. I mean you would not keep up a separate Chamberlain for the old City's estates?—Oh, no.

8928. (*Mr. Smith.*) The only officer that you seem rather down upon is the Town Clerk?—We preserve him.

8929. As a curiosity, do you mean, because he is an officer of very ancient date; there is almost scriptural authority for his existence?—We propose to deal with that by uniting the Clerk of the Council and that office together. He has very important statutory duties; for instance, he is returning officer, the clerk of the Council.

8930. Yes, but you degrade him from his office as head of the staff?—Yes——

8931. That is a detail, I think, which we can think over?—That is a detail. The Commission will not care about entering into the definition of those things which are central and to be transferred.

8932. (*Lord Farrer.*) It is rather important, I think?—Then the powers would be these——

8933. (*Chairman.*) You mean by this that those powers of the Commissioners of Sewers which, outside London, are exercised by the County Council are to be exercised by the County Council?—Yes.

8934. Those which outside would be exercised by a vestry you do not touch in this proposal?—No, we leave those in the Commissioners of Sewers; we only take away the central powers.

8935. Quite so?—And those central powers are such powers as relate to the administration of the Building Act as to dangerous structures under the Housing of the Working Classes Act, 1890, powers as to unhealthy areas and lodging-houses. Powers under the Sky Signs Act, 1891. The jurisdiction of it is stopped with regard to the County Council at the City boundaries.

8936. The County Council Bills, as introduced, proposed that the jurisdiction should extend over the City?—Yes.

8937. And that was resisted?—That was resisted, and in Committee we were defeated.

8938. (*Mr. Smith.*) You have those powers over the rest of London that is governed by vestries and district boards?—Entirely.

8939. (*Chairman.*) You think they should be central?—Certainly, we cannot lay down, for instance, any proper system for sky signs. If those were put under the administration of one body it might lay down similar requirements for all the area. Then the Commissioners of Sewers have power to levy in the City, under the Sale of Gas Act, 1859, rates for examination and so forth of gas meters. The Infant Life Protection Act, 1872, the Council has no jurisdiction in the City in lessening these houses. I suppose there is not likely to be many at all events. The Explosives Act, 1875—now this Act can only be administered by a central authority. To have an interruption of the jurisdiction for the carriage of explosives, for the landing of explosives in one part and half a mile of the river fringe, and not be able to control it, is absolutely a matter which should cease.

8940. (*Lord Farrer.*) But as far as I understand you do not here propose to go into a detailed examination of the different powers, to see which of them ought to be central, and which of them ought to be local, but merely to take the law as it exists outside the City line and apply that law to the City?—Quite so, it was simply by way of illustration. Then as it is proposed that the powers transferred to the new Corporation shall, where applicable, be exercised over the whole of London, all those powers the control and supervision which the London County Council now exercises in London outside the City, would be exercised by the new Corporation in the City as well as outside it. That sums up the proposal. Then as regards the representation upon the Joint Committee the London County Council appoints half the members of the Standing Joint Committee of the Quarter Sessions and the County Council of the County of London. The powers of this Committee include:—The appointment and removal of the clerk of the peace and the recommendation of his salary and fees; the recommendation of the salaries and fees of the clerks of the petty sessional divisions.

8941. What alteration would this make; what powers would it hand over within the City to the new body?—Oh, it goes on a little later——

8942. I mean with respect to these earlier things, nothing is said with regard to the appointment and removal of the clerk of the peace for instance?—(*Mr. Dickinson.*) We are dealing here with powers of the London County Council.

8943. I know; but what would go from the City to the Council?—That is mentioned a little later on.

8944. The first part goes from the Council?—(*Mr. Harrison.*) The powers from the Corporation of the present City would be those relating to the appointment of 12 of the 24 members of the Gresham Committee, the remaining 12 being appointed by the Mercers' Company; of 8 out of the 15 managers of West Ham Park, 41 being appointed by the successors of Mr. Gurney, who sold the park at less than its market value, and three by the parish of West Ham; and of 12 out of the 16 members of the Epping Forest Committee, the other four members being the verderers elected by the commoners under the Epping Forest Act, 1878. Then with regard to the powers of nomination on other statutory bodies, they relate chiefly to the Thames and Lea Conservancy.

8945. (*Chairman.*) You had better go back to page 10; we did not go through that?—"11. The new "Corporation of London shall have all the rights of "the Corporation of the City of London and of the "London County Council, and of any member of "either of those bodies in his corporate capacity, of "nominating representatives on, or being a member "of, any statutory or other board, or of electing "or being governors or otherwise connected with "the management of any charitable or other trust." Now, that is intended to provide for the appointment of members of the Council and the new Corporation upon the Thames and Lea Conservancy Boards.

In Memorandum (A.) which we handed in, pages 19, 50, and 52, the details of the constitution of those Boards are given.

8946. (*Lord Farrer.*) How does that stand now under the Act of last session?—The Act of last session added three from the Council, one from Middlesex, one from Surrey, and one from Essex.

8947. And one from Kent?—One from Kent, and the Conservancy is directed to bring in a new Bill relating to its constitution. That Bill is deposited.

8948. Then as things stand at present the effect of this proposal would be to give to the new Corporation the three which the Council now choose under the Act of last session, and the seven, I think it is, which were appointed by the old City?—Yes, there are seven appointed by the old City including the Lord Mayor.

8949. Just before we get to the new deposited Bill, the effect of this change would be to make the number appointed by the new Corporation 10, including the Lord Mayor?—Not quite so, because the Act of last session only nominated three representatives from the County Council for a fixed period of three years, and the Bill provides that in default of the Reconstitution Bill promoted by the Conservancy passing into law, then the County Council are to introduce a Bill

8950. And then under the Bill of this session?—It will depend upon the Bill of this session passing.

8951. And what does the Bill of this session propose?—The Bill of this session was arrived at by compromise. The Conservancy first resolved to deposit a Bill altering the constitution without altering the numbers; that was found to be not in compliance with the Act and therefore they took away the Lord Mayor, two members from the City, and they have deposited a Bill with 29 instead of 30—that is the old body less the Lord Mayor, and that made the representation of the City five.

8952. And it continues the representation of the City at seven?—The present number is seven, and the County Council has three; but under the proposed Bill the City will have five and the Council five. But whether that Bill will pass or not is matter for consideration. Then besides that the City appoint the governing bodies of various charitable institutions named in the memorandum, pages 43 to 47; they are chiefly the Royal Hospitals.

8953. (*Chairman.*) Christ's Hospital?—Christ's Hospital, Bartholomew's Hospital, and so forth—the Royal Hospitals. Then the Irish Society, it is proposed, shall be abolished.

8954. You go into that later, I think?—Yes. Then we go to the next portion of the proposals which deal, fourthly, with "property and finance."

8955. (*Lord Farrer.*) Just before you leave the charities; you include in that all the charities to which the City have now the power to appoint?—Yes.

8956. Without any attempt to distinguish between such as might be thought local or such as might be thought general?—Without seeking to distinguish, because we think that is more for the Charity Commissioners or some future legislation to deal with. At present we suggest that whatever nomination there is in the City should be exercised by the new Corporation.

8957. (*Chairman.*) The Westminster School, for example; the new Corporation will inherit all the rights of the old Corporation?—Yes.

8958. Whatever might be the constitution of the Westminster School?—Yes; Emanuel Hospital, Christ's Hospital, were always nominated.

8959. Morden College will be another?—Yes. In regard to the property and finance we propose that "12. the county fund and the county rate shall be "called 'the City and County Fund' and 'City "and County Rate.'"

8960. Why not City fund and City rate?——

8961. (*Mr. Smith.*) Yes, I was going to ask the same question?—Well, we were afraid of confusion. It has been spoken of for so many years, the City rate being confined to the area of the City.

8962. We shall have to offer a premium to somebody who will find a name for that area; it is a difficult thing to dispose of. It does seem to me to be a complicated thing to talk about a "City and County rate"; in county boroughs we do not do anything of the kind?—But there is no administrative county.

8963. Yes, we are the administrative county?—For pauper lunatics the administrative county of course.

8964. We have our own lunatic asylums?—We are the administrative county of the Corporation.

8965. I should advise you to consider that; it is a complicated thing—the City and County rate?—(*Mr. Dickinson.*) We considered the matter, and we thought the only way of dealing with the metropolitan area was to leave it both a city and a county at large. That being so, we think we are bound to preserve the county rate as it exists now, and is known all over the country as the county rate, and it would be a county rate for various purposes.

8966. How does it differ from a city or borough—that is, a City and County—in itself in England?—Well, I thought I explained yesterday, that it differs in the fact that we have got the local authorities to deal with.

8967. That is an incident of size merely; but apart from that, I do not think it differs as regards the rating powers.

8968. (*Lord Farrer.*) I think you stated distinctly yesterday that the relation of this new Corporation to the smaller bodies would not be that of a county to the boroughs at all?—You could not work a borough fund at all in London, owing to the existence of the local authorities.

8969. Might we not leave this point till we come to the particular question?—I was going to say it arises on the question of the continuance of the county; We think it most important to preserve the County of London. That is the reason why we keep on the county rate. (*Mr. Harrison.*) Then "13. all the pro-"perty of the London County Council and of the "Corporation of the present City of London shall "pass to and vest in the new Corporation of London, "subject to all debts and liabilities affecting it, and, "except as otherwise provided by the following "proposals, shall be held for the same estate, interest, "and purposes, and subject to the same statutory "provisions, covenants, conditions, and restrictions as "it is now held. 14. The debt of the London County "Council, and of the Corporation of the City of "London, shall be the debt of the new Corporation "of London, and ultimately charged upon the City "and County fund. Due provision shall be made "annually for the repayment of the debt of the "Corporation of the City of London."

8970. (*Chairman.*) At present how do the debts stand in the market relatively to one another?—Oh, it is about five and a half millions.

8971. I do not mean the total, I mean the selling price?—The rate of interest is about the best indication of that.

8972. I mean to test the credit of the London County Council and the City?—(*Mr. Dickinson.*) 3, 3¼, 3½, 3¾, are the rates of interest paid by the City.

8973. That is not what I mean; of course you will have to consider in any change the rights of creditors; do the creditors of the City look upon their security as better than the creditors of the London County Council look upon their security; it might become a material question?—(*Mr. Harrison.*) It cannot be, because the rateable value of the City is only 4,000,000*l.*, and the Corporation bonds at present are only charged on the Corporation estates, whereas the rateable value of county area is 32,000,000*l.* a year, while its present debt is only half a year's purchase, for that debt is 17,000,000*l.*

8974. You are arguing rather what should be the estimate than what it is?—You can deduce it in a moment from their rate of interest; because if their general rate of interest is found on their renewals—on five or ten years' renewals—to be at a higher rate

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than that at which we raise money, their credit cannot be so good.

8975. That is the test?—That is the real test; it is stated at page 46 of B.

8976. The only test is in the market?—The only test is in the market.

8977. (*Lord Farrer.*) The London County Council raise money at a lower rate of interest than the City, do they not?—Oh, yes, considerably.

8978. (*Mr. Smith.*) It is rather difficult to make a comparison between bonds and stock. Yours is stock; theirs are all mortgage bonds?—Theirs are all mortgage bonds maturing at fixed rates, but the rate of interest that they pay on those bonds is given at page 46, statement (B.), and the rates of interest, on an average, is 3·45 per cent., very nearly 3¼. (*Mr. Dickinson.*) They get a premium; undoubtedly they do get a premium. I have not got the exact figures. Your question is, what a person investing would make if investing in Corporation bonds, as against the London County Council stock.

8979. (*Chairman.*) Yes, as I understand, it would be a fusion of securities on one side, and of debts on the other, which might of course operate prejudically or beneficially to the holders of the security?—(*Mr. Harrison.*) Yes; there was no difficulty in dealing with this question of adjustment between the counties of London, Middlesex, Surrey, and Kent, when portions of those counties were broken off by the Act of 1888 and thrown into the County of London, the counties had borrowed the money from insurance offices at 5 per cent.; all that was valued out and reduced to present value, and upon that the adjustment was easily ascertained.

8980. (*Lord Farrer.*) Those adjustments have been effected by the counties?—Oh, all through, and of course those creditors who have got the right of keeping their loan out could not in law be paid off by the new Corporation, and if therefore those that were outstanding bore a certain rate of interest, we should upon the adjustment as between ourselves have to discount that present value and fix compensation accordingly. I do not think there would be any real difficulty. (*Mr. Dickinson.*) I think the net result, in my own mind, would be that it would be of advantage to bondholders. They would get the same interest, and they would get what is now considered a slightly better security.

8981. (*Chairman.*) If there was any difference it would be necessary to keep the accounts separate until all the existing liabilities were exhausted?—(*Mr. Harrison.*) They must be kept separate. (*Mr. Dickinson.*) Under any circumstances.

8982. No doubt the assets would have to be kept separate?—No doubt the assets would have to be kept separate for the sake of the creditors.

8983. You realise that?—You could not possibly deal with them, and so long as creditors are remaining outside, we might pay them off. I have not yet been advised, nor do I know sufficient to say, whether these bonds are bonds for a term which we might pay off, but if we had the right to do it we should raise the money at once and pay them off.

8984. Except that you would not prejudice creditors. Supposing you introduced a charge on the rates which does not at present exist; these creditors have no charge on the rates at present, only on the corporate property?—They have no security on the rates. (*Mr. Dickinson.*) What we should do in the course of time is to raise ordinary stock to pay off these bonds.

8985-95. (*Lord Farrer.*) You cannot convert them?—(*Mr. Harrison.*) We would convert them, if possible, out of our debt. (*Mr. Dickinson.*) It would be to our advantage to do so; we might have to wait a few years.

8996. At any rate, if the London County Council can borrow at a lower rate than the City can borrow at, they would have no difficulty in dealing with the debt of the City?—Except that the creditors would not accept the money.

8997. (*Chairman.*) Yes, you will have to wait?—We may have to wait.

8998. (*Lord Farrer.*) Quite so, and that is just exactly what is happening with some of our old debts?—With some of our old debts.

8999. Which we are ready to pay off when we can pay them?—Most of the Middlesex county debt was running on the old insurance rate of 5 per cent. (*Mr. Dickinson.*) Of course you have before you Mr. Gomme's proposal as to how it could be paid off, in his evidence, and he took it then at 3 per cent.—the whole.

9000. (*Mr. Smith.*) You may assume that you permanently borrow at 3 per cent.?—We assume a basis of 3 per cent. (*Mr. Harrison.*) And of course the tendency now is that the rate of interest is falling. Then "15. all receipts in the nature of capital, whether arising from loans or the sale of property or otherwise, shall be carried to the City and County Fund, and applied for any purpose for which it is specifically applicable under any Act of Parliament, and subject thereto shall either be invested and kept as capital, or shall be applied either in discharge of capital of debt, or for some purpose on which the new Corporation of London is authorised by Act of Parliament to expend capital. 16. All receipts in the nature of income arising from property transferred to the new Corporation of London from the London County Council and from the Corporation of the present City of London shall form part of the "City and County Fund," subject nevertheless to the following provisions:—(1.) All receipts in the nature of income which would now be carried to the Consolidated Loans Fund Account of the County Fund shall continue to be carried to that account of the City and County Fund, and shall be applicable to all purposes to which the Consolidated Loans Fund is applicable. (2.) All receipts in the nature of income arising from markets shall be carried to a special account of the City and County Fund. The County Council, as you know, have no markets, and we are obliged to resort to this provision in order to preserve the rights of creditors of the City, which are largely charged upon the market dues. It shall be called the "Markets Account," and all expenditure in respect of markets, including the payment of interest on debt and the repayment of the principal thereof shall be paid out of moneys standing at the credit of that account. If the moneys at the credit of the market account in any year are insufficient to meet the current expenditure in respect of markets, the Council may, if they think fit, transfer such a sum from the general account of the City and County Fund as may be necessary to meet the deficiency, or that portion of the deficiency which, in their opinion, will not be made good by future surplus receipts from the markets. If, on the other hand, the moneys at the credit of the market account in any year are in excess of the current expenditure in respect of the markets, they shall be applicable, after allowing for all contingent liabilities, to the extension or improvement of market accommodation, the reduction of market tolls, or otherwise for the purposes of markets generally throughout London.

9001. (*Chairman.*) The Council are to transfer, if they think fit, the sum necessary to make up the deficiency?—The creditor at present has no right to resort to anything else than his specific charge.

9002. I thought that the City estates were a second guarantee?—Yes; but the corporate estates are only contingently liable, and primarily liable are the market dues; and it will be found, when the City estates, which are primarily charged for certain specific charges, are stated, that there will be very little, if any, balance on the general city account to meet any deficiency on the market account or other specific account.

9003. Still, would it be within the discretion of the Council to cease to adminster this trust, to withhold any balance, if there happened to be a balance, on the general estates—are they bound to make up the

deficiency?—The creditor on a market bond would be entitled to pursue his remedy against the general estates if the City market tolls were not sufficient?—Yes.

9004. And the new Corporation so administering the estates which they should take over would have to provide for that right?—Only out of the estates taken over.

9005. Which are part of the City fund?—Yes. The intention is not to create an additional security for the bondholder; for this reason—one of the main reasons—that if we give them such an unlimited good security we shall have great difficulty indeed in getting up these current bonds for 10 years, and they will say, "we will not take our money—it is as good as consols." We shall never be able to pay them off until they accrue due.

9006. That may be; but I should have thought the better reading of the obligation which would pass would be to say something of this kind, "the Council "shall, so far as the City and County fund are liable "thereto, transfer"?—I would quite adopt that suggestion. It carries out really what was intended by that; but, of course, it is to be borne in mind that we must not by statute or amalgamation create such a very excellent security that makes it difficult to deal with our creditors.

9007. On the other hand you cannot take away?—I would not take away.

9008. (*Lord Farrer.*) You keep the markets as a separate account?—We must do so.

9009. But you do not keep the bridges as a separate account?—No; we deal with them, as you will see presently. The Bridge House Estates are a separate trust, and we deal with them in that way. All receipts in the nature of income transferred from the present Corporation of the City of London to the new Corporation of London, except receipts from markets, shall be carried to a special account of the City and County fund called the "Corporation Estates Account," and all debts and sums of money secured upon any of these receipts by bond, mortgage, or otherwise, or payable out of them under the provisions of any statute, or by virtue of any charitable or other trust, shall be a first charge upon the receipts at the credit of that account according to their several priorities.

9010. That rather meets the Chairman's observation, does it not?—Quite so.

9011. (*Chairman.*) Except so far as it applies to the income only?—The income only, instead of limiting it if they think fit to such amount as they would otherwise be entitled to out of the corporate estates, if the Act had not been passed. After the payment of all charges upon the Corporation Estates Account, it shall be separately ascertained to what sources of revenue any credit balance standing at that account is attributable, and that balance shall be divided accordingly into portions under the following heads:—(1.) Charity Estates; (2.) Bridge House Estates, including the Blackfriars Bridge Estate; (3.) other trust and statutory funds; (4.) General Estates. Nothing in these proposals shall interfere with the application of any property belonging to a charity, and the portion of the balance under head 1 (Charity Estates), shall be subject to the trusts of the particular charity from the property of which it arises, and to the general law affecting charitable trust funds. The portion of the balance under head 2 (Bridge House Estates, including the Blackfriars Bridge Estate) shall be applied for the purposes of any bridges, ferries, or tunnels within London.

9012. (*Lord Farrer.*) Is there any reason why that should not fall into the general account?—Personally I should be in favour of it falling into the general account.

9013. Quite so?—Any bonds issued on the Tower Bridge—I cannot understand why the surplus from the Bridge House Estates—the surplus houses and property making the approaches to the bridges—should, apart from creditors' provision, be carried to the support of any particular bridge in London, and not generally to the general account.

9014. It has been gradually enlarged by different Acts of Parliament?—Oh, yes.

9015. So as to get from one bridge to another bridge?—From one bridge to another bridge.

9016. And finally to a bridge outside the City of London?—On the Surrey side—the Tower Bridge.

9017. On both sides?—

9018. (*Chairman.*) Originally the whole fund was a trust fund?—

9019. (*Lord Farrer.*) For a particular bridge?—Well, not wholly. But originally in the London Bridge a portion of it was donations given by passers-by on London Bridge to the box that stood there; a portion of it was given also by gift of the citizens for the maintenance of old London Bridge; but the bulk of it came from the surplus property of the approaches to London Bridge, the present King William Street and Gracechurch Street, and the approaches to the bridge, and the City being under no obligation to sell their surplus lands had retained their surplus lands; and they originally formed the Bridge House Estates, and the bulk of them are come from the surplus lands of those approaches. Blackfriars Bridge was the same. Then they redeemed the toll on Blackfriars Bridge out of that income of the property. And then they have by these properties freed other sources of income going to pay the expenditure on these bridges. Ultimately, in the time of the erection of the Tower Bridge—the Tower Bridge was proposed by the City Corporation—the Metropolitan Board of Works proposed also another bridge; and it was said in a committee room of the House of Commons that the City had not any funds to carry out the proposal; and, upon that, the inquiry was adjourned in the House, and they proved that they had got, at that date, something like 57,000*l.* a year net unincumbered income upon the Bridge House Estates, and upon that the Act was passed authorising them to construct the Tower Bridge—dedicating these Bridge House Estates solely for the erection of that bridge, and declaring that the corporate estates of the Corporation should be answerable for the debt if the Bridge House Estates were insufficient.

9020. (*Chairman.*) Do I understand you to say that any portion of the present Bridge House Estates has been supplied, either directly or by transformation out of the general funds of the City?—No, not the whole of it, only a portion.

9021. Some portion has?—Yes.

9022. They do not all directly or by transformation come from funds or property dedicated to the bridge?—No, they come from the approaches of the bridge.

9023. But the approaches have been acquired?—They have certainly.

9024. That is what I mean by saying "either "directly or by transformation"?—Oh, yes.

9025. They all came originally from the Bridge House fund?—And street approaches.

9026. Yes, but those are got from carrying out the administration—the funds already existing?—Well, the street approaches were not necessarily part of the bridge, nor were they made; they have fallen into this fund of the Bridge House Estates.

9027. That may be; but if the Corporation, who are possessed, say, of 50,000*l.* a year received from the accumulation of certain Bridge House Estates?—Yes.

9028. And undertaking to make a bridge?—Yes.

9029. And in respect of the security of that bridge borrowed money?—Yes.

9030. And bought houses on the site where they proposed to make the bridge, and acquired property near the bridge—the new property would only be a transformation of the trust; whether it is desirable or not to pursue this distinction of trust is another question, but at present and historically the Bridge House Estates all became affected with the trust for bridges?—Oh, yes, clearly, that is quite clear. But

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in the Tower Bridge there were no approaches at all except a little bit on one side down Tooley Street.

9031. (*Mr. Smith.*) The surplus lands were the ancient method of betterment apparently?—Then the portion of the balance under head 3 (other trust and statutory funds) shall, so far as possible, be applied to similar objects to those to which it is now applicable. The portion of the bal under head 4 (general estates) may be applied by the Council to any purposes to which it might lawfully now be applied by the Corporation of the City of London.

9032. (*Chairman.*) Do you mean with respect to head 3 that there is to be a discretion as to the *cyprès* application?—Yes.

9033. On the part of the new Corporation?—Yes, it will be very small whatever is done. (*Mr. Dickinson.*) We give the notes on page 18. It is chiefly the Open Spaces, Grain Duty. (*Mr. Harrison.*) The City of London Court Fund, the Grain Duty, the Clerkenwell Improvement Fund, the Holborn Valley Improvement Fund, and the Parks and Open Spaces Fund. "17. If the City and County fund is insufficient to meet the expenditu e of the Corporation in any year, the Corporation shall be authorised and required to estimate the deficiency, and to levy the "City and County rate" to provide for the same. 18. The present exemptions of the City from the County rate shall cease. The police rate for the City shall be made and levied in the City area by the Council, by precept or otherwise."

9034. Now we want that new phrase, Mr. Smith.

9035. (*Mr. Smith.*) Yes, I am puzzled about that.

9036. (*Chairman.*) That Mr. Smith seeks after?—19. In addition to all purposes to which the City and County fund is applicable, the Council shall have power to vote the expenditure of money out of the City and County fund for the purpose of entertaining and of conferring the freedom of the City of London upon, and of making presentations to, distinguished persons, and of contributing to public charitable objects, and of making inquiries into any matters of municipal concern, and of illuminating and decorating the streets on occasions of public rejoicing, and of purchasing works of art and books for civic galleries and libraries, and of maintaining the City of London School and the Guildhall School of Music, and generally for any purpose which in the opinion of the Council is fitting and proper in the case of the representative body of the metropolis.

9037. These are taking over the powers of the existing Corporation?—Yes; and there was a provision, I think, in the Bill of 1884, to the same effect.

9038. They are larger than the powers enjoyed by ordinary municipal corporations?—They are larger in some respects, no doubt. Clause 20, sub-section 4, of the Bill of 1884 provides that: "Whereas the "Corporation of London have been accustomed to "expend money in entertaining and conferring the "freedom of the City of London upon distinguished "persons and in contributions to public charitable "objects, and in or towards the maintenance of the "City of London School and the Freemen's Orphan "School, and in the prosecution and defence of "legal proceedings for the promotion or protection "of the interests of the citizens, and in promoting "and opposing Bills in Parliament affecting the "citizens, and it is expedient to provide for the "continuance of the power to expend money for "the above purposes; therefore it is hereby declared "that all expenditure properly incurred in pur-"suance of a resolution of the Common Council for "any of the said purposes in respect of London as "extended by this Act shall be deemed to be ex "pended for the public benefit of the citizens of "London within the meaning of this Act."

9039. That is to say, with the exception of the illumination of the streets?—We have corporate estates applicable to that, and it is the capital of the Empire, and the expenditure in some of the cases has been very considerable in the City. With regard to the City local authority——

9040. (*Lord Farrer.*) Before you leave that you contemplate, do you not, that the use and expenditure of whatever funds are derived from the old City shall be subject to the same control, in respect of alienation or paying off debt, to which the other property of the London Council is now subject?—Certainly; and if you make the debt of the old Corporation the debt of the new, it becomes subject to all the provisions for a sinking fund and of every other nature. We deal with the City local authority under these provisions. We propose that "20, there shall be a local authority for the area of the present City of London. 21. It shall be elected for three years in wards by the persons in the City who possess the present qualification of County Council electors. That is to put it on the same footing as the County Council.

9041. (*Chairman.*) You mean that they shall be all elected every third year?—Yes.

9042. That does not follow the present City organisation or the municipal corporation organisation?—The present City Corporation is annual.

9043. Yes?—The nomination is annual but *non constat* that every nominee must necessarily be a member of the Corporation. In practice it is so, but being the nomination of the City it was made annual at present under the Act, and always has been so.

9044. What do you mean by the nomination?—By the City Commissioners of Sewers Act.

9045. Oh, yes; but I am not talking of that. I am talking about what you may call the local authority within the City, that is, the Corporation itself?—Yes, in some things.

9046. The City Commissioners of Sewers are created out of the Corporation, or by the Corporation?—Yes, nominated.

9047. At present members of the Corporation of the City, apart from the Aldermen, are elected annually?—Yes.

9048. You propose in future that they shall be elected in a fashion which is not the present fashion of election in the City nor the present fashion of election in municipal corporations?—No; that is so. We adopt the mode of election similar to that of the London County Council.

9049. (*Mr. Smith.*) How would it agree with the other local areas in London; of course that is in a state of suspension at present?—That is in a state of suspension at present, pending the present Bill.

9050. But assuming that the Bill passed in its present form the House of Commons, how would it agree?—It would not. It would depend on what form the Act now is, on these details.

9051. It would disagree?—(*Mr. Dickinson.*) The District Councils in London will be elected once in three years only; it would be of immense advantage to London government. Once a year is too often.

9052. (*Chairman.*) You will make this a pattern in future?—That is the suggestion. All elections in London should be on the same basis and at the same time. (*Mr. Harrison.*) Of course, that is tentative; because we deal with what is to be done for the final constitution of the local authority in a few minutes. 22. The present City Commissioners of Sewers shall remain in office till the expiration of the term for which they were appointed. Three months before that date they shall submit proposals to the Local Government Board for the division of the City into suitable electoral wards, for the appointment of a returning officer, and for the date of and arrangements to be made for the election of the City local authority. 23. The Local Government Board shall prescribe, by order published in the "London Gazette," the boundaries of the wards, the number of representatives to be assigned to each ward, and the date and arrangements for the election. 24. The City local authority shall elect a chairman and treasurer, and shall be a body corporate. 25. The City local authority shall have and perform all the powers and duties of—(*a*) The City

Commissioners of Sewers, except those which are now exercised through the rest of the Administrative County of London by the London County Council. Provided that nothing in this proposal shall be construed as exempting the City local authority from any control or supervision now exercised by the London County Council over other local authorities in the county. (*b.*) A local authority under the Metropolis Management Act. 26. The City local authority shall take over the establishment, property, and debt of the City Commissioners of Sewers, except that incurred in respect of powers to be transferred to the new Corporation; and as regards rating, they shall have the powers—(*a.*) of the City Commissioners of Sewers for all purposes not transferred by these proposals to the new Corporation; (*b.*) of a local authority under the Metropolis Management Act, 1855, in so far as they are additional or supplementary and not in derogation. 27. The City local authority shall appoint an officer to perform the duties of the secondary of the present City of London, with regard to the registration of parliamentary and municipal electors in the area of the present City. I should like to add that the provision is framed giving the rating powers under *a* and *b*, but some provision should be made to prevent the rate under *b* altering in any way the incidence of taxation as now existing under *a*. At present the Commissioners of Sewers have power of rating vacant land and void spaces, and it is a sewers rate deductable by the tenant from the landlord; and if that be converted without some adequate provision we should be shifting the liability from the landlord on to the tenant. All that, of course, is a mere matter of drafting; it wants care, because we found that the Act of 1855 altered contract entirely, because in the Paddington case, where there were half rates for empty houses and unfinished houses, it was felt that the new rate was substituted under the Act of 1855, and that the local rate was superseded.

9053. (*Mr. Smith.*) And the sewers rate was held to be a landlord's rate, was it not?—Oh, always; it is a charge on the land.

9054. Yes, it is a charge on the land?—We had it in 1685. The Act provided that the Metropolitan consolidated rate should be divided into three portions—general rate, sewers rate, and fire brigade rate. It was then limited to a halfpenny. The Act of 1888 converted the rate for the same duty into a county rate.

9055. Altered the incidence of taxation?—Entirely. It wiped out contract.

9056. Except that, I suppose in most modern leases in London you have the words all rates and taxes, including sewers rates. I remember my old lease had those words?—That might be in modern London. But modern London was not built since 1855, and whatever may be on the occupiers' leases, every lease up to 1855 was entered into, and 70 per cent. of the total of London was then built on a different set of covenants, and we, on inquiry, found that in the case of Greenwich no less than 6,000 certificates were given under the old metropolitan rate system of the amount included for sewers rate in the general rate, and those certificates were handed over by way of voucher for the deduction. In that case there were 6,000 tenants in Greenwich alone who had their rates materially altered.

9057. (*Chairman.*) You are very jealous of the maintenance of covenants?—Very jealous of the maintenance of covenants; and I say that the history of London is one vast history of the breach of covenants, and the shifting incidence of taxation belonging to the landlord from the landlord on to the tenant by legislation.

9058. You do not attempt to give a name to this new local authority any more than to the district it administers?—No; we leave that to the Commission if they think fit.

9059. (*Lord Farrer.*) As regards its constitution you would rather look at whatever might be done in the case of the City as something which might be a model?—For the district councils hereafter.

9060. For the other sub-authorities in London?—Yes.

9061. And have you formed any idea what their title should be, or what the titles of their officers should be?—Well, I cannot say we have formulated any plan.

9062. (*Mr. Smith.*) You are not in love with the term "vestry," I presume?—Certainly not.

9063. (*Chairman.*) The historic continuity preserves the title of Commissioners of Sewers?—Well, it gives a wrong idea of the rate, as Commissioners of Sewers rate is one thing, and it is the only Commissioners of Sewers that is now extant in the metropolis. The tendency of modern legislation has been to consolidate them. There were in 1848 seven outside the City—those had come down from 15 or 20—it had got into seven in 1848; those were consolidated into one, and when the Act of 1855 came, the only Commission was the City Commissioners of Sewers, which was exempted from the operation of the Act, and the one body, the Metropolitan Commissioners of Sewers.

9064. (*Mr. Smith.*) It does not to the ordinary mind therefore at all describe their duties. A good deal has happened since the Commissioners of Sewers were constituted; they have become urban sanitary authorities; and it is not a very savoury name?—No.

9065. (*Chairman.*) It is no objection to the historic feeling; it is rather a recommendation that the common meaning of the word has drifted from its original sense?—Well then you see, on these Commissioners of Sewers—and we have Commissioners of Sewers for want of other local unit—have been conferred the paving and lighting and other powers and duties, so that a Commission of Sewers is in many cases, in many localities, not merely confined to sewers, but entrusted with paving as well.

9066. (*Mr. Smith.*) They are called paving commissioners in some places, and all sorts of things?—And the City Commission is rather larger and was larger than any of the others, because it was intended to take the place and the power of good government which would otherwise have vested in the Corporation.

9067. Yes; and we have it in evidence in this Commission, both from the mouth of the Chairman of the Commissioners of Sewers and by admission, I think, of the Town Clerk, that they were really the municipal authority of the City?—That is to say, they do all the municipal duties.

9068. Except markets?—And with the exception—with the one exception of police.

9069. Which is not municipal strictly, although it is nominally so?—We deal with the County of London, and the proposals under that head are as follows "28 The present City of London shall cease to be a county of itself, and shall for all purposes become part of the County of London. 29. The justices by charter of the City of London shall be abolished, but the names of the existing Lord Mayor and Aldermen of the City of London shall be included in the Commission of the Peace for the County of London. 30. The jurisdiction of the Court of Quarter Sessions and justices of the County of London shall extend to the present area of the City. 31. The Metropolitan Police Courts Acts shall extend to the present City of London, and the Mansion House and Guildhall Justice Rooms shall be made Metropolitan Police Courts, and police magistrates shall be appointed to preside in those courts. Provided that (*a*) the buildings and other property connected with the police courts in the City shall not be transferred to the Commissioners of Works; (*b*) the salaries of the magistrates and all other expenses shall be paid by the Corporation, who shall receive the fees and fines; (*c*) the City Police shall perform all duties in connexion with these courts, which in the case of the other police courts are performed by the Metropolitan Police. 32. The Sheriff of the County of London

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shall in future be appointed by the Council of the new Corporation, and it shall be lawful for the Council, if they think fit, to appoint two persons to hold the office of Sheriff, so that either of them may perform any of the duties of that office.

9070. (*Mr. Smith.*) That is following the Municipal Act except as regards the second portion. That is rather a revival of the older system.

9071. (*Chairman.*) The present Sheriff of London is appointed by the Crown?—That is according to the Act of 1888.

9072. Like the sheriff of other counties?—(*Mr. Dickinson.*) Yes.

9073. (*Lord Farrer.*) Here you do assimilate London to the borough rather than to the county?—(*Mr. Harrison.*) 33. Yes. The qualification by estate required for a county justice shall not be necessary in the case of justices of the County of London; but any justice who does not possess that qualification shall, while acting as such, reside within the County of London, or occupy a house, warehouse, or other property therein. The Lord Mayor of London for the time being shall, *ex officio*, be a justice of the peace for the County of London during his term of office, and, unless disqualified, for one year afterwards.

9074. (*Chairman.*) You have already provided for that?—We have, yes.

9075. That is a repetition of what you said before?—Yes.

9076. (*Lord Farrer.*) And that follows the law of municipal boroughs?—And of County councils.

9077. (*Chairman.*) The qualification of estate is not to be necessary; what do you follow in that—what is that grounded upon?—Borough justices must reside within 7 miles of the borough.

9078. Making it analogous to the borough?—The effect of this proposal is to enable persons qualified to be borough justices to be made justices of the County of London, with this difference, that borough justices may reside within 7 miles of the borough.

9079. (*Lord Farrer.*) You think it ought not to extend to London?—This is the law with regard to the Mayors of municipal boroughs, even when the boroughs have no commission of the peace.

9080. He ought either to reside or have business in London?—(*Mr. Dickinson.*) Yes.

9081. There would be no judicial duties belonging to these justices of the peace, is that so?—(*Mr. Harrison.*) There will be, of course, in quarter sessions.

9082. (*Mr. Smith.*) There will be no police magistrate duty?—(*Mr. Harrison.*) No; there will be business in quarter sessions.

9083. (*Lord Farrer.*) Who is to be Recorder of London?——

9084. (*Chairman.*) That sort of qualification which may vest in borough justices refers to justices who exercise functions within the borough and are judicial personages?—(*Mr. Harrison.*) Well, it has recently been decided, the other day, that the county justices have concurrent jurisdiction with police magistrates in reference to such Acts as weights and measures.

9085. (*Lord Farrer.*) If they choose to act?—If they choose to act.

9086. But they have no right to sit in the police court?—No, none. It is a different jurisdiction. You can apply either to the county justices or to the Police Magistrate. It has only recently been decided.

9087. (*Mr. Smith.*) No London justices, I mean to say, have seats in the Metropolitan Police Courts?—No; not in the police court.

9088. (*Lord Farrer.*) They have jurisdiction, but they do not practically use it?—Concurrent jurisdiction, under these particular Acts.

9089. (*Mr. Smith.*) Certain things out of sessions?—Certain things out of sessions.

9090. That is the point?—Out of sessions. And it might be important to sever that class of business from the police court, particularly the applications under the Education Act. 34. The Recorder of London shall be the chairman of quarter sessions of the County of London. The present chairman of quarter sessions of the County of London, and the Common Serjeant of the present City of London, shall be deputy recorders of London, and a court of quarter sessions may be held before the recorder or any deputy recorder alone; provided that all courts of quarter sessions in London shall be held in accordance with a scheme prepared by the Council, and approved by a Secretary of State. The Council under the Act of 1888 had to submit a scheme, which has been approved of.

9091. Do you think that two deputy recorders will be sufficient?—I think so. They divide the business by two districts, north and south.

9092. I notice—I remember in the Bill of 1884 it was suggested that there should be four?—I think the work is kept down. (*Mr. Dickinson.*) In the next section we have power to appoint additional deputy recorders. (*Mr. Harrison.*) 35. It shall be lawful for the Queen, on the petition of the Council of the new Corporation of London, to appoint additional deputy recorders of London. 36. The present City of London shall cease to be a separate county for the purposes of the militia, as for all other purposes. The Commissioners of Lieutenancy of the City of London shall be abolished, and their property, debts, and liabilities shall pass to the Secretary of State for War, but all records, documents, and property not required by the Secretary for War for the performance of his duties shall be transferred to the Lieutenant of the County of London. 37. The trophy tax shall cease to be raised. 38. The Lord Mayor of the City of London for the time being shall, during his term of office, be the Lord Lieutenant and *custos rotulorum* of the County of London, as has already been proposed. We dealt with that yesterday. With regard to the City Courts. 39. The Borough Court of Southwark and the judicial powers of the City Chamberlain shall be abolished. The Court of Hustings shall also be abolished, unless it should be thought desirable to preserve it for the purpose of the custody of the records, or to transfer to it the business of the Middlesex Land Registry. That is a matter of inquiry; I think as a court for preserving records it would be a very important place of deposit.

9093. (*Chairman.*) It is obsolete at present, is it not?—It is obsolete; but up to a certain date they have got the records of various wills and documents.

9094. How far back is that?—I think you will find that in the City statement.

9095. It would be a revival?—No; well, since 1688, I think.

9096. (*Lord Farrer.*) It is a question whether those might not be transferred to the general registry, might they not?—Yes, it is a suggestion. Of course the Middlesex Land Registry is mixed up with the whole question of the land.

9097. (*Chairman.*) Middlesex is not entirely within the County of London?—No, a large portion of the area is, though.

9098. But there is no division at present?—(*Mr. Harrison.*) No, it is gradually being worked out and rendered as useless as possible to make way for the change. 40. The City of London Court shall continue as at present. 41. The manner of dealing with the Central Criminal Court and the Mayor's Court shall be determined by the Home Secretary, and meanwhile the present assistant judge shall be the sole judge of the Mayor's Court.

9099. (*Mr. Smith.*) Is there any reason why the City of London Court should not be converted into a county court?

9100. (*Lord Farrer.*) It is practically a county court now?—It is practically a county court.

9101. (*Chairman.*) It has a peculiar jurisdiction?—It has a peculiar jurisdiction with regard to——(*Mr. Dickinson.*) The fees of the court are a valuable source of revenue, and there does not appear any reason why they should be given up; that seems to

be the chief reason. (*Mr. Harrison.*) It is very important. Courts might be established in different parts, this is a suggestion that we make, for the purpose of relieving the police courts of a large proportion of the business not properly of a criminal character, although involving penalties, such as summonses under the Education Act, the Public Health Act, the Metropolis Management and Building Acts, and many other statutes. Many of these summonses involve the attendance of respectable women and young children, and it is not right that they should be exposed to the contaminating influence of the police courts.

9102. Would you put the apprenticeship jurisdiction of the City Chamberlain in those Courts?—Well, that has been proposed to be abolished.

9103. I know. But you propose to abolish some, and propose to create new courts of a special character in London?—(*Mr. Dickinson.*) It is proposed to abolish the duties of the City Chamberlain.

9104. *Qua* Chamberlain?—But there is a notion that something might be evolved out of the old idea.

9105. That that class of work might be dealt with in a separate kind of court?—(*Mr. Harrison.*) Separate kind of court over the whole of London.

9106. You would not confine that to this court—young children?—No, hardly a week passes without five or six cases under the Building Acts, being brought before police magistrates.

9107. (*Lord Farrer.*) An intermediate jurisdiction between criminal and civil?—Yes. Then as to freemen. The proposals are: 42. Freedom by patrimony, apprenticeship, redemption, and gift shall be abolished, with this exception, that it shall be lawful for the new Corporation to grant the honorary freedom of the City of London to any person as a mark of distinction. 43. The existing freemen of the City of London who are liverymen, shall retain the parliamentary franchise. 44. The Freemen's Orphan School, the institution of the London almshouses, and all other property or assets now applicable for the benefit of the freemen of the present City of London, or their widows, children, or orphans, shall be vested in the new corporation upon trust to apply the same, so far as may be just, for the benefit of the existing freemen of the present City of London, and their widows, children, or orphans. Provided that nothing in these proposals shall entitle any person to any greater benefits than he would otherwise have enjoyed.

9108. Is there any reason why that should not be retained by the local government of the city, if they should desire it?—By the local authority?

9109. Yes, of the city?—You would have to take all the particular portion of the property applicable to that trust from the general corporate funds; instead of vesting it in the new corporation, one would have to carry it over to the local authority, with proper adequate provision.

9110. (*Chairman.*) But local authorities have analogous schools and analogous trusts in many parts of the metropolis?—(*Mr. Dickinson.*) The trusts which will affect this property will expire. Then, after a certain time, they must be dealt with otherwise. We thought it was better to keep it in the hands of the Central Corporation of London, rather than leave it to the local authority.

9111. (*Mr. Smith.*) You might have power to delegate everything except the financial part to the local authority. I should think you would be very glad of it?—(*Mr. Dickinson.*) Yes.

9112. (*Lord Farrer.*) The less the new Corporation have to do with freemen the better. Is not that your view?—Freemen we abolish; all these people will expire, and therefore their schools will go in a few years. (*Mr. Harrison.*) It will be a general school then. (*Mr. Dickinson.*) When that happens, these trusts will have to be changed.

9113. (*Chairman.*) But you have not schools elsewhere?—It would be a new development in the action of the London County Council to have anything to do with schools for London.

9114. (*Lord Farrer.*) You go further, do you not, in abolishing freemen than the Municipal Corporations Act?—(*Mr. Harrison.*) No. (*Mr. Dickinson.*) Yes, patrimony.

9115. That puts an end to freemen in course of time; freemen are returnable, are they not, in your municipal boroughs?

9116. (*Mr. Smith.*) We have none?—(*Mr. Harrison.*) Originally, the Municipal Corporations Act, 1835, as it passed the House of Commons, reserved the rights of property of existing freemen and their wives, widows, and children, but it provided that after the passing of the Act no person should be elected, admitted, or enrolled a citizen, freeman, liveryman, or burgess of any borough, or by any name a member of any body corporate, in respect of any right or title other than by occupancy and payment of rates within any such borough according to the meaning and provisions of the Act. These provisions were amended by the Lords, so that the Act in its final form only abolished freedom by gift or purchase, and reserved all rights of property, both of existing freemen and their families, and those who might become freemen and their families.

9117. (*Lord Farrer.*) So that you do say freemen will die out under your scheme, whereas they did not die out under the Municipal Corporations Act?—Yes.

9118. (*Chairman.*) But at the time they were preserved by the Lords there were preserved with them very important privileges which have ceased to be so important under the extended suffrage of the present day?—Yes. (*Mr. Dickinson.*) Now, of course, they are only the rights upon the property, common rights, etc. (*Mr. Harrison.*) With regard to the officers, it is proposed that: 45. All the officers of the Corporation of the present City of London and of the London County Council shall become the officers of the Corporation of the City of London, and shall retain, so far as is practicable, all their present rights, privileges, and emoluments, and shall exercise their respective functions over the whole of London.

9119. (*Mr. Smith.*) Well, now, I am going to bring up the Town Clerk again; you know he has certain statutory duties to perform?—Except so far as they are destroyed, or proposed to be destroyed, by these proposals, they would remain the same. 46. The Council may, nevertheless, from time to time distribute among the said officers the duties to be performed by them, and may remove or supersede any of them, and provide for the union or abolition of offices and of the variation of duties in such manner as they may think expedient for the Corporation and just to the officers. (*Mr. Dickinson.*) The position of affairs, of course, would be this—that we should have a Town Clerk and a Clerk of the Council; both of those officers have got statutory duties.

9120. You would not have two officers—one officer? Immediately after this, we would have two officers, both having statutory duties, and I should think that the statutory duties of the clerk of the County Council are really more important and larger than those of the Town Clerk. He is returning officer for the county and keeper of the records, and several other duties he has which are statutory. Well, then, the first thing we should do, of course, would be to unite these two in one way or another. Undoubtedly, I presume, we should then have to compensate.

9121. (*Lord Farrer.*) Compensate the Town Clerk when he goes?—Compensate the person, and decide on the name of the one individual who would hold this statutory position.

9122. Rearrange the business?—Certainly. (*Mr. Dickinson.*) There would have to be a considerable adjustment, as both these officers have statutory rights different from all other officers in that respect; they have statutory rights in their individual person.

9123. (*Mr. Smith.*) And you will find, I think, if the Municipal Corporations Act generally is applied to you that your treasurer will have statutory duties?—(*Mr. Dickinson.*) Our treasurer is the Bank now

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The treasurer of the county has certain statutory duties, too.

9124. One of the duties that just occurs to me now, as Town Clerk of a municipal borough, is the absolute control of the printing of the burgess list, which is important in a municipal corporation?—That, of course, is one of the statutory duties of the clerk of the Council. He is not only returning officer, but he has the list, and the custody of it.

9125. And then for ceremonial purposes the town clerk is frequently required. You cannot always get your Recorder to read addresses and that sort of thing. There are a number of duties of that kind which have to be done. The Recorder has the right to address the Sovereign personally; but there are many occasions when I have read addresses to persons of various degree—the Shah of Persia, for instance?—(*Mr. Harrison.*) I do not think we desire for one moment to abolish the office.

9126. No, retain the office, only I hope you will not humiliate him too much?—I hope not. For compensation it is proposed that: 47. If any existing officer is at any time removed (except for misconduct), or his office abolished, or if he is subjected to obligations or conditions, or required to perform duties, such as are not the same as or analogous to those which he is at present subject to or required to perform, he shall be entitled to full compensation.

9127. (*Chairman.*) What is the meaning of "full"?—I think those words follow the Act of 1888. 48. If any existing officer is of opinion that his position has been injuriously affected by any alteration of his duties by the Council, and he is either refused compensation or is dissatisfied with the amount offered him, he shall be entitled to appeal to the President of the Local Government Board, who shall have full power to adjudicate in the matter."

9128. (*Mr. Smith.*) Well, all compensations are now practically under the Local Government Act referred to the terms of the Treasury Minute with regard to officers who are no longer necessary, and so you are governed by those rules, and the Treasury is the ultimate authority in case of dispute?—Yes.

9129. (*Lord Farrer.*) The London Council goes to the Treasury too, does it not?—Oh, yes. (*Mr. Dickinson.*) May I say I have just been looking at the Corporation's statement as to the duties of the Town Clerk of the City of London. It seems to me there are very few statutory duties that he has.

9130. (*Mr. Smith.*) I am not proposing at all in my mind that you are to take over the City of London in an unreformed state?—No: of course not.

9131. That is the *status quo*?—That is the position of affairs. The Town Clerk of the City has not very many statutory duties. "He is, *ex officio*, a Commissioner of Lieutenancy for the City, and, by Statute and otherwise, an inspector of Lamb's Charity, and of Donkin's Charity." (*Mr. Harrison.*) With regard to the Irish Society, we propose that: 49. "The Irish Society shall be dissolved, and its charter repealed, and its property transferred as to part thereof to the Corporations of Derry and Coleraine, and as to the rest to any elective county authority which may be created in Ireland, and unless and until any such county authority is created, the said property shall vest in trustees to be appointed by the Lord Chancellor of Ireland." That is in substance the recommendation of the committee of 1891.

9132. (*Chairman.*) There is a suit in the Chancery Court of Ireland respecting that matter?—Yes; there is.

9133. I hope we shall not anticipate the decision of that court?—No; the following are the "Transitory Provisions:" 50. Order to carry out the arrangements: "A provisional joint committee consisting of 10 representatives of the Common Council of the City, and 10 of the London County Council, with a chairman elected by themselves, or failing agreement, nominated by the President of the Local Government Board, shall be appointed to arrange the details of the transfer of business to the new Corporation, and generally to make such recommendations in view of the coming into force of the Act as may promote its proper working." This, in short, is the scheme, or proposals, which the Committee of the Council have unanimously come to a conclusion to support, and they submit them to the Commission for consideration.

9134. (*Mr. Smith.*) You have no suggestion to make as to the police?—I should like to make a suggestion; but I need hardly say.

9135. We shall be happy to consider it. We shall have to consider the whole question, I take it; if you have anything to say you ought?—The question of the police of course has been discussed in the Council: we have on two occasions come to the conclusion that the county ought to have its own police, but it is a large question; it would be quite impossible to go into it at the present time, because it involves financial accounts as well as———

9136. (*Chairman.*) And the Committee which drew up this paper deliberately abstained from making any suggestion with reference to it?—(*Mr. Dickinson.*) The Committee which drew up this paper has considered, of course, very minutely the question of the City Police.

9137. Yes?—And we propose that in the City for the present the Police should remain separate from the Metropolitan Police.

9138. (*Lord Farrer.*) You do not propose to amalgamate it with the Metropolitan Police?—We think that it would be a step in the right direction to give the management of the City Police into the hands of the new Corporation of London; in our opinion the management of the Metropolitan Police should be in the hands of the Council, but we did not think we were entitled to go into the difficult question of how that should be done.

9139. (*Mr. Smith.*) With regard to your desire to become the police authority of London, do you not think it is desirable that until that is done the police should be under one management?—Not more than now.

9140. No, but then we are going to reform. I am surprised to see that you are so anxious to take over so many abuses, in my opinion?

9141. (*Lord Farrer.*) I suppose your view is that it would be a retrograde step to put the City Police into the hands of the Home Secretary, it being now, to a certain extent, to a limited extent, in the hands of a municipal authority?—(*Mr. Dickinson.*) We think that would be distinctly going back from what must be the desires of the County Council.

9142. What do you say, is the desire—the tendency of the desire—of the County Council and the practice in other boroughs?—The practice in other boroughs, yes.

9143. Quite so; so you would not take away from the local authority any legal jurisdiction over the police which they now possess; but you are not prepared to go into the very large question of dealing with the whole of the Metropolitan Police?—We have not done it.

9144. (*Mr. Smith.*) Then I apprehend you want fresh powers over the Metropolitan Police, do you not, or are you only asking to take over the City police?—(*Mr. Harrison.*) That is all.

9145. You are only asking to take over their existing powers?—Yes.

9146. You would not ask for a Watch Committee?—(*Mr. Dickinson.*) Not at present.

9147. (*Lord Farrer.*) Not to make the control over the City Police analogous to that which is exercised by Councils in municipal boroughs?—(*Mr. Harrison.*) No, the City Police Act was passed, almost in identical terms, in the same year as the Metropolitan Police Act.

9148. And practically the jurisdiction of the City Police rests—the practical jurisdiction—with the Commissioner much more than with the City authorities?—Just so.

9149. (*Mr. Smith.*) We have that in evidence; I think it is admitted to be so. The police committee in the City is the committee, I understand, for the pay and clothing of the police?—And the dismissal of the police.

9150. Just the same power of dismissal that any two magistrates have in an ordinary borough, but it is never exercised and never likely to be; the Commissioner practically has the control?—And the laying down of regulations for the street traffic.

9151. (*Lord Farrer.*) Street traffic; that goes to the Aldermen?—That goes to the Aldermen. Of course our feeling would be, if the Commission would be prepared to entertain our proposals,—any proposals we might submit on this subject of the Metropolitan Police with regard to the county area.

9152. (*Mr. Smith*) It seems to me only to arise in this Commission—if I may be allowed to say so—inasmuch as we have got the City Police to deal with, and having got the City Police to deal with, it strikes me that it would be much better that they should all be put under one government, if only temporarily, on the principle, perhaps, of *reculer pour mieux sauter*?—Our Committee has so far investigated the matter that they have all the materials affecting the question with regard to area, population, and finance. (*Mr. Dickinson.*) But at the same time I do not think we should wish to complicate this particular question with the question of the Metropolitan Police.

Mr. C. Harrison and Mr. W. H Dickinson.
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9153. (*Chairman.*) You have deliberately considered the whole problem—as to whether you should say anything with respect to the Metropolitan Police—as to whether the City Police should be suggested to be (at least temporarily) incorporated with the Metropolitan Police; as to whether the City Police should be subjected to the County Council in the same way that it is now subjected to the Corporation of the City; as to whether it should be subjected to the County Council upon the conditions under which an ordinary municipal police is subjected to its municipal corporation; having considered all those, you propose that the most expedient thing to be at present considered is simply the subjecting of the City Police to the new Corporation under the same conditions and to the same extent to which it is subjected to the existing Corporation of the City?—(*Mr. Harrison.*) Just so; that is about it.

9154. (*Lord Farrer.*) This paper, I understand, is going to be circulated to the Council?—It will be sent to the Council in the ordinary way.

9155. It has been sent?—(*Mr. Harrison.*) No, it has not been sent; but it will be sent round.

The witnesses withdrew.

The following letter from Mr. Crawford was read by the Secretary:—

"Guildhall, London, E.C.,
"February 17, 1894.

"My dear Mr. Chairman,

"Amalgamation Commission.—I have this morning received a letter from the President of the Local Government Board in reply to my letter to him of the 13th instant, a copy of which I forwarded to Mr. Gleadowe, for the information of the Royal Commissioners on the 15th instant, wherein he informs me that if a Commissioner wishes to retire from a Royal Commission he should notify his resignation to the Chairman of the Commission, who communicates the fact to the Home Secretary. As I gave you this notification on the 13th instant, and as I feel sure my brother Commissioners admit that I could not *consistently* adopt any other course, might I ask you if you have not already done so to kindly make the necessary communication to the Home Secretary.

"Believe me, my dear Mr. Chairman,
"Your faithful servant,
"Hy. Homewood Crawford."

The Secretary was instructed to make the necessary communication to the Home Office as desired by Mr. Crawford.

Adjourned to Thursday. the 22nd February, at 11 a.m.

TWENTIETH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 22nd February 1894.

PRESENT:

The Right Hon. LEONARD HENRY COURTNEY, M.P., Chairman, presiding.

Lord Farrer.
Mr. Robert Durning Holt.
Mr. Edward Orford Smith.

Mr. George Edward Yorke Gleadowe, C.M.G., Secretary.

Sir Samuel George Johnson, Town Clerk and Clerk of the Peace, Nottingham, called and examined.

Sir S. G. Johnson.
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9261. (*Chairman.*) You are Sir Samuel Johnson, town clerk of Nottingham?—Yes, that is so.

9262. Have you been that for some time?—Twenty-four years.

9263. Had you any previous experience?—I had previous experience in a town in East Kent for seven years.

9264. Is there any association of town clerks?—There is; there is also an association of clerks of the peace. The association of town clerks has not met for some few years; it ceased to meet soon after the establishment of the Municipal Corporations' Association. That rather superseded its functions. I have prepared here, sir, a statement, rather hastily prepared yesterday, but still accurate, I believe, in which I have shown the way in which the work is conducted in our town, in the first part of it; the second part shows the character of the work which we control. If that would help you at all, sir, I should be happy to put it in.

9265. First of all perhaps we had better have from you a general statement of the way in which municipal councils are elected?—Sir, the foundation of the election of a municipal council of course is the ward system. I suppose I need not go back to the qualifications of a burgess.

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9266. No?—In the borough of Nottingham there are 16 wards, and each of those wards is represented in the municipal council of the town by three members of the town council; one-third of these retire annually.

9267. One in each ward therefore every year?—One in each ward retires every year. There are also 16 aldermen, making altogether 64 members of the town council. Of the aldermen one half retire every three years; they are elected for six years.

9268. And the aldermen and councillors take part in the election of aldermen?—The aldermen take part, but not the retiring aldermen.

9269. No; but those who are in?—Those aldermen who are in take part in the election of the councillors. I do not know whether you wish to know anything about my views with regard to aldermen, whether that question is before you or not.

9270. It is in a measure, yes?—I have not said anything about it here.

9271. First of all about the method of election; have you considered the alternative plan of the whole body retiring every third year or every year?—Oh, yes; I am afraid if the whole body of the council retired every year it would cause too great a break in the policy and continuity of the action of the town council.

9272. Every year you said?—Every three years; of course it would be three times worse if it were every year.

9273. Does that follow?—Some persons think, you know, that if it were every year instead of every third year there would be less excitement, and therefore less chance of a complete change?—Of course the experiment would have to be put to the proof, but if I could prophecy at all about it I think it would be rather disastrous for the local self government to be in the hands of men who took office every year.

9274. You are aware that in the City Council of London proper the councillors are elected every year?—I understand that is so.

9275. And that there is remarkably little change in the composition?—Yes.

9276. Of the Court of Common Council?—Yes; I do not know the reasons that bring that about, but if we had an election every three years there would be times, I am quite sure, when the whole of the council would change, or very nearly the whole of the council would change, and they would change sometimes upon very subsidiary questions.

9277. Your wards are so much in sympathy with one another that the movement would run through the whole of them?—Well, I may illustrate what I mean by this: when we were building a new Guildhall, the specification contained a statement that a particular kind of stone, Darley Dale stone, was to be used, but whilst the building was progressing a dispute arose as to whether or not Darley Dale stone was being used and the town was very much agitated about that simple question, and it all turned upon whether or not a particular kind of stone was got from a quarry at which trade union wages prevailed, or from a quarry at which trade union wages did not prevail, and I am quite certain at that moment if the whole of the town had been appealed to, (if the council had dared to say, although we proved afterwards that the right stone was being used,) if the council had dared to say that the right stone was being used and would not have terminated that contract or taken proceeding against the contractors to compel them to use the stone from the trade union quarry, they would have been turned out of the council; in fact we were only saved from a disaster at that moment by the vote of the aldermen.

9278. There were 16 persons necessarily elected at that time?—Sixteen persons.

9279. Did the election of all 16 turn upon that issue?—Those 16 members of course carefully preserved their seats by voting the right way, as far as I recollect.

9280. (*Lord Farrer*). By voting for the trades unions?—For the trades unions. I am speaking in general terms.

9281. So that they were influenced by the coming election to vote for the trades unions?—Certainly. If a man wishes to keep his seat he does not dare defy public opinion whatever his private view may be about the propriety of that opinion.

9282. (*Chairman.*) You would say that of the whole 16?—Well, I say it in general terms. It is some little while now, my memory has not been refreshed about it before I came this morning.

9283. I suppose in Nottingham there is some residential quarter which is more controlled by persons of influence?—There are a certain number of quarters in which residential properties would certainly have control, but we try to mix them as far as possible so as to make the whole a fair representation of the inhabitants of the borough in the town council.

9284. (*Lord Farrer.*) And did that feeling continue until the following elections?—No, it did not, because we called in experts—we called in some of the most eminent men of the day, and we proved in pamphlets, which we published, that the contractors were using the stone which had been specified, and there could be no misunderstanding about it. We gave time for public feeling to subside, and the thing has died out, it is quite dead in Nottingham now. But there was such a strong feeling about it at the time that when the next election came on we had to barricade the buildings, and there was an attempt then even to fire the barricades.

9285. (*Chairman.*) In ordinary contests in Nottingham are the electors and the candidates divided into parties?—Into two parties—conservative and liberal.

9286. Political issues do affect the contest?—Political issues are raised; members are returned on political grounds avowedly, but when they enter the Guildhall politics are lost sight of; in fact I could not discover from the votes the side in politics of a member of the council. I often make mistake in my own mind in adjusting what his politics may be; they are entirely lost sight of. But I must say that outside the strings are pulled by each political party. That, of course, is subject to other questions; other questions come in, we will take for instance, the conservative party, for No. 1 ward: they may be influenced by some association, for instance, an association of working men, who would say, "If you put up Jones for a "candidate, then we shall all vote against Jones "because he employs non-union labour." I give that only as an illustration how things may work.

9287. But if you put up "A" he would receive the working-men's vote, although a conservative?—Yes, that would be so; if approved of by the conservatives he would receive the whole vote of the conservative party.

9288. Candidates stand and are recognised as conservative or liberal?—That is so.

9289. And the conservative and liberal organisations work for them?—Work for them.

9290. But at the same time special personal qualifications may over-rule those caucuses?—It is considered in many towns, whether justly or unjustly, I do not know, I rather think unjustly, that the election for councillors does influence elections for members of Parliament, and they say it is preparing the way—preparing the ground for the next parliamentary election.

9291. It serves to unite parties together?—To unite parties together. I have had nothing to do with parliamentary elections or politics during the whole time I have been town clerk and I cannot give an opinion about it, but that is alleged as the reason for keeping alive that method of deciding who shall be put in nomination for office.

9292. But if, as you say, when persons are once elected they act quite independently of party connection, and no party opinions are recognised within the council, that must be in the minds of some of the electors at the time of the election, who would stray

away from the party lines and vote independently?—Probably it may be so, I have no means of determining that, some one, of course, has to begin an organisation to select a candidate. I am not quite certain upon what other grounds I could suggest that they should begin organisations of this kind. If a man were put up simply because he was a well known man in a neighbourhood, and would incur certain expenditure which was necessary for that neighbourhood, that would be a legitimate issue; but what politics have to do with us after we get together in council I cannot conceive, and I do not recognise at all any difference in people's votes on that account. It is very seldom that it goes on the question of a party struggle.

9293. Except the fact that at these annual contests persons are put forward as party candidates and party organisation is used. What would be your opinion as to the effect upon that employment of party candidates and party organisation if instead of annual there were triennial conflicts. Would it be increased or diminished?—I should think it would be increased.

9294. (*Lord Farrer.*) You mean if the whole were elected at once?—If they all went out every year I think that would be increased.

9295. (*Chairman.*) Intensified?—Intensified? the struggle would be intensified. Now and then we do have a man who is bold enough to come forward as an independent candidate and say, "I belong to neither party." But as a rule they have no chance of election. I never knew a man get in as an independent man, although of course they are, as far as my own individual opinion extends, some of the best men that come forward.

9296. I suppose if an argument were put to you that all going out every three years developes interest, especially party interest and political interest, you would reply that we have got enough of that in the annual election?—We have enough of that, in fact that operates in this way, if the liberals in the city saw that they could oust a conservative, or the conservatives saw that they could oust a liberal, no matter how well that man had discharged his duty *qua* councillor, if they thought they could get a party victory, out he would go.

9297. (*Lord Farrer.*) Whatever his merits were?—Whatever his merits were.

9298. As a councillor?—As a councillor. Only last year Mr. B., whom it was intended to make mayor, was one side in politics—I will not say for the moment which side he was, it does not disturb the argument—he was one side in politics, and the other side in politics thought they could oust him. They fought him and they failed, but they failed by not a very large majority, and he was returned, although he was intended for, and he became, mayor and was a very successful mayor and did his duty admirably well during his year of office, which has just closed in November.

9299. (*Chairman.*) Do you think that this view of the working of these elections would be supported by general testimony in Nottingham?—I think so; I have not conferred with anyone about it. These facts are well known; no one doubts them.

9300. (*Lord Farrer.*) Has the trade union element formed a dividing line in the council?—No; I do not think it forms a dividing line in the council; it forms a dividing line in the nomination of various councillors for wards; they bring their influence to bear. If they favour a candidate, it is a very strong feature in that candidate's favour.

9301. (*Chairman.*) Are there conservative trade unionists and liberal trade unionists?—I think there are; we have in the council working-men candidates, and one of these is a conservative and three are liberals; but still these working-men candidates——

9302. (*Lord Farrer.*) Working-men members?—Working-men members; yes.

9303. (*Chairman.*) Well now, proceeding to the question of aldermen, what is your view of their part in this work?—Where there is a pretty even balance among councillors the aldermen come in to strengthen the side that is the winning side, the strong side they make stronger.

9304. When elected you mean?—When they elect those of the same views as the majority. This is the rule not without exception, for they sometimes select from the minority of the Council. This method strengthens the majority, and as we have executive works and works which have to extend over a series of years before they are completed it is really important that the Council should have a strong majority to support a particular policy. Further than that, these aldermen all are well removed from the immediate influence of public opinion, and can take that view of the matter which they think is fair and just without yielding to the passing passion of the moment, and they do serve to steady the municipal machine; they make it go more regularly and steadily forward.

9305. (*Lord Farrer.*) And that although they are elected in the first instance upon a political basis?—Yes. No alderman with us is ever advanced to the aldermanic bench unless he has served previously as a town councillor, and perhaps through a long period of years. And one thing is this, that as soon as a councillor is made a magistrate, as a rule, the first opportunity that comes, he is also afterwards made an alderman, so that he has not to go back to seek the suffrages of a constituency whilst he is a magistrate; that has been a rule with us.

9306. That is a self-made rule?—That is a self-made rule entirely. It has been a rule, of course, which has had its exceptions.

9307. (*Chairman.*) They are always elected from the councillors?—Not always.

9308. But they always have been councillors?—My predecessor some 23 years ago, the Town Clerk, as a compliment, and because they thought he was a repository of valuable information which would be useful to me as a successor, was made an alderman.

9309. That was a very unusual circumstance?—That was a very unusual circumstance.

9310. You said they always had to serve as town councillors, they first served a kind of apprenticeship?—They first serve a kind of apprenticeship, and they have to be elected perhaps two or three times before they succeed to the aldermanic bench.

9311. And, as a rule, they not only serve as common councillors, but they are common councillors at the time of election?—At the time of election, and from the aldermen are usually drawn the chairmen of committees. The chairman of a committee, holds a very important office. A man has to be chairman perhaps through a long series of years, and if you change your chairman you would probably bring a very considerable amount of confusion into the business until your new chairman understood where he was with regard to his committee, the aldermen are usually the chairmen of committees, and they keep up a knowledge themselves of the work and traditions and policy of the Town Council and of all it concerns as against the official staff. If you constantly change your councillors—if you have a constant changing body, that constantly changing body is thrown more and more into the hands of the official staff.

9312. It would be much more so, of course, if it were a case of all going out every third year?—That is the great objection, I was going to urge, although perhaps, I am not the mouth to urge it; they would be thrown more and more into my hands, and the hands of the others of the staff. They would know nothing, and it would open the door, I think, for a very great deal of wrong-doing, though I trust that we stand so high, we would not be charged with that, still it would open the door.

9313. (*Mr. Smith.*) You hope the staff would be equal to the strain?—Would be equal to the strain and not give way under it; but it would be putting them in a false position I must say. As far as the

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aldermen are concerned, (I have written on the question,) I have advocated that aldermen should be elected by the cumulative vote. That would give then the minority the opportunity of being represented on the aldermanic bench. At the present moment, the minority is not represented on the aldermanic bench, but now and then a man in the minority who makes himself specially useful in municipal life is promoted to the aldermanic bench.

9314. That was the proposal advocated many years ago in Parliament; a Bill was brought in?—A Bill was brought in by the late Mr. Samuel Morley for the purpose.

9315. But I think before that Mr. Heygate had a Bill?—Oh, yes.

9316. (*Lord Farrer.*) But when a man has made himself extremely useful as a councillor, and is obviously in that respect the best man for the post of alderman, would he never be selected as alderman if his political views were opposed to those of the majority of the council?—No, we have elected men on that ground and made them aldermen—for instance, at the present moment a member of the minority is the Chairman of the Watch Committee and has been for some years. He was proposed on the last occasion when there was a vacancy on the aldermanic bench; he did not succeed, because, it was supposed, someone was supposed to have a prior claim to him. But I have no doubt next election he will be elected an alderman.

9317. Have you any view as to the number of the aldermen; it is one-third?—It is one-third. No, I have no view about that; I think the present number is a very convenient number.

9318. (*Chairman.*) In the London County Council it is one-sixth?—One-sixth. We have been used to that number, and it is not too many. I do not think it is too many, not to fairly keep alive the continuity of the policy of the Council and keep its traditions before the Council.

9319. There is no connection between your aldermen and the wards?—There is no connection between our aldermen and the wards, no, sir.

9320. They are the same in number?—They are the same in number, but there is no connection whatever.

9321. And you would not advocate any connection of that kind?—No, indeed, I should depreciate as tending to localising, and making a topographical representation. I think we suffer somewhat from that now. My own idea is that it would be better for us if we had larger districts—the larger the district usually the better the man we get. If you get a small constituency someone who is kind hearted and is known in the neighbourhood to be a kind hearted man, looking after Sunday school children, and that kind of thing, becomes a very popular man, and he comes in, whereas he is often a man of much smaller mind than other men; but when he is there, his idea is to spend as much of the general rate as he can in the 16th part of the borough. If the district he serves is not interested in any particular scheme he very often cannot find it in his mind to recognise the importance of the scheme for the whole borough.

9322. He is disposed to cut it down rather?—When we were enlarging the borough we went in for the 16 wards, we were eight wards before, I am of opinion that eight wards are better than 16. We are only three divisions for parliamentary representation, and my own view is that we should get a better class of men altogether if the municipal and parliamentary divisions were similar.

9323. The same number of councillors?—The same number of councillors. We are reduced by 16 wards to a parochial system again.

9324. You would have about 15 councillors for every ward in that case?—Yes, I should not object to doing that.

9325. You would elect those 15 in fives every year?—We should elect them in fives every year.

9326. What would be the method of voting?—The method of voting?

9327. Not cumulative or anything of that kind?—No, in our case there is no need for a cumulative vote; the parliamentary representation is equally divided. We are singularly fortunate in having a conservative and liberal unionist and a radical to represent us.

9328. (*Mr. Holt.*) Do the ward constituencies vary a good deal or not?—Well, sir, they vary in time by the alterations of the numbers of the inhabitants, one ward grows more rapidly than another; there is a very great difference.

9329. Are the discrepancies in the wards very considerable at present?—They are not very considerable, not sufficient to necessitate any attention to them at present; but they are going that way rapidly.

9330. What is about the average constituency of the ward?—16 in about 40,000; about 2,500.

9331. (*Chairman.*) Still confining your attention to the aldermen, have you any view as to the aldermen joining in the election for filling up aldermanic vacancies?—Do I understand the whole of the borough electing the aldermen or only the councillors?

9332. No, I wished to draw your attention to the difference between municipal corporations and county councils in that respect, that in the case of county councils, aldermen who are elected are elected by the elected councillors, surviving aldermen have no share in the election?—I think that would be an improvement; I do not think it would make much difference with us; but I think it would be an improvement. It would do away with the cry of some persons that they were self-elected to some extent. I should not at all disapprove of that, sir; I do not think that anybody in Nottingham would object to that.

9333. Disqualifying aldermen from voting in filling up aldermanic vacancies?—Yes, sir.

9334. Now then, proceeding to your special borough, you have got a population of how much?—The population, according to the last census was 213,000, but we have got a population of about a quarter of a million in round figures.

9335. You have not increased very much of late years, have you?—We almost decreased during the last decade, sir. We had no normal increase; the normal increase was not sustained. The Registrar-General's reports of our population were in excess of what was realised.

9336. It was over-estimated?—Over-estimated. We did not increase normally; it was due to special circumstances.

9337. But you think you have increased 10,000 since 1891?—We have had a more rapid rate of increase recently, sir.

9338. Your borough has increased from time to time?—Yes, sir.

9339. You are referring to an increase that was made under your own auspices?—In 1876 we enlarged the borough. That plan (*plan produced*) shows it. That was the old borough—the red shows the over-crowded part, the thickly over-crowded part. We took in the whole of the area which is distinguished by the colour blue.

9340. You took in some populous villages and some partially occupied country. We absorbed four local boards, and two or three rural sanitary authorities; three school boards were dissolved, and we took in about 8,000 acres; we were about 2,000 acres ourselves, and we took about 8,000 acres more.

9341. (*Lord Farrer.*) What were those you first mentioned—urban sanitary authorities?—No, the first I mentioned were local boards.

9342. (*Mr. Smith.*) They would be urban sanitary authorities?—Yes, sir.

9343. (*Lord Farrer.*) You mentioned rural sanitary authorities?—The first were urban sanitary authorities; there were four local boards; we also absorbed one or two sanitary authorities of a rural character.

9344. (*Chairman.*) Was that extension made in the face of much opposition?—At first, sir, there was some opposition.

9345. But you came to terms?—We came to terms. There was no opposition before the Committee of the House of Commons excepting from Nottingham Park, which is a residential district belonging to the Duke of Newcastle. The Duke of Newcastle appeared, and he wished to keep the park entirely as private property, to repair his own roads, and to get a differential rating on that account. He was allowed a differential rating for the work in consideration that he repaired his own roads, and did not throw that burden on the town. That was not an inequitable arrangement.

9346. (*Mr. Smith*). Do you speak of the park as a park, or the district covered with houses?—The district covered with houses.

9347. He wished to get the whole district?—The whole district. It is a very valuable estate belonging to the Duke of Newcastle, out of which he receives 12,000*l.* a year.

9348. He was not successful?—We gave him one-fifth; we allowed him to keep the roads which he repairs himself. Since then I may say the Duke's agents have asked us if we can come to terms, for us to repair the roads and they to give up the one-fifth.

9349. (*Chairman.*) That is the kind of opposition which is said to have prevented the extension of the City of London last time?—Indeed, sir.

9350. I asked you. You are not aware of that circumstance? I put it to you interrogatively, are you aware?—I am aware that the City of London has been very much kept in its present bounds by the large estates round it.

9351. Something like the Duke of Newcastle's opposition?—We have been very much hindered in the development of our town by large tracts of land all round, which were in the hands of tenants for life with whom the life tenant did not agree. These estates have been lying idle, growing in value year by year, so that now one estate is said to be worth a million of money, and we had no land on which to build; in fact at the present moment we have 10,000 back-to-back houses in Nottingham; they crept in before the Acts were passed by Parliament giving us any authority over such buildings.

9352. (*Mr. Smith.*) And you were land-locked owing to the existence of these large settled estates?—Entirely owing to the existence of these estates and some lammas lands lying round the town and forming a horizontal green wall, if I may use such an expression.

9353. (*Chairman.*) Well, now, as to the work which your corporation has to do. Can you give us a general description in the first place?—Well, sir, in the first place, "the matters over which the corporation exercise jurisdiction." We begin with the corporation estates, comprising houses, business premises, land, allotments, gardens, &c. From those there is a gross annual income of 30,000*l.* a year. When we extended the borough we extended the benefit of our estates to the whole of the borough. We did not keep it for the old part; we extended it to the whole of the borough as enlarged.

9354. And the inhabitants of the old borough made no complaint?—No; we had no opposition from them.

9355. Were they more relieved by the increase of rateable property than they were injured by the loss of any interest they had in that corporate property?—The borough engineer told me yesterday, and I think he is quite within the bounds when he says so, that in the upper portion of the town—the north portion—we have spent five times as much money as we have received in rates from them. You understand the local bodies, sir, neglected everything. One great reason for our trying to force these people into our community was this, that they became centres of contagion for us. We had a frightful epidemic of small-pox in Nottingham—the only one we have had to fight of any dimensions—which came from a neighbouring place where they would take no precautions. One side of the street was under Nottingham, and the other side was in the jurisdiction of this local board. They sent it on to us. It cost us no end of money building small-pox hospitals and crushing out that epidemic.

9356. In the end you gained, but it might be said the inhabitants of old Nottingham have lost pecuniarily?—Although they have lost pecuniarily they have gained in many ways. They have gained in that they have one community, one water supply; one water-shed; they are bound together for all municipal purposes. That is a great advantage to us. We have been able to make through communications by main roads, and carry main sewers right through the whole place—to a sewage farm far below the town. We have been able to establish a central library and branch libraries all round the place, which I will tell you about in a moment.

9357. (*Mr. Smith.*) It is very rare, Sir Samuel, that any borough extension is a pecuniary benefit to the borough making the extension?—I should say very rarely.

9358. But it is a very great gain in administration?—It is a very great gain—a very great gain in matters of public health and the trade of the place. Certain trades prevail in the district, and it is necessary to have inter-communication by common roads, and so forth.

9359. (*Chairman.*) Now, supposing, instead of the situation as it was, that of this municipal corporation being surrounded with local boards, rural boards, and unorganised parishes—supposing the whole area within that blue line had been already organised, fairly well organised, but having within it the red island, a separate organisation—what do you think would have been the feelings of the inhabitants of that red part on the subject of extension, having regard to the property of the red part?—Of course, you are asking me a problematical question; I must give you a problematical answer.

9360. Stretch your imagination?—I think they would have gladly welcomed union among the whole body.

9361. Even though the outer part were organised as a municipality, we will say?—If they had been selfish, and the red part had kept itself to itself, what with the development of our estates and with the profits we could make out of gas, I think we might scarcely have had any borough rate in that particular portion, excepting the school board rate. I think we should have got rid of anything certainly like a borough rate. But I think it would have tended to a feeling of narrowness all through; and I think it has helped to widen the minds of those who live in the red part, having to administer a larger area.

9362. That is not always the kind of argument that appeals to persons, they do not recognise the narrowness of their minds.

9363. (*Lord Farrer.*) But you think that, notwithstanding that, the red part would have been ready for other purposes to join?—I think so. I do not think they could have grown up separated. I do not think the question could have arisen; because they could not have become properly organised and administered without some *rapprochement* between the parts, and their being mixed together.

9364. (*Chairman.*) That could not have arisen there. But if it has arisen elsewhere, then I wish you to apply your mind to what the consideration would have been under the different circumstances. Supposing you had got what I suggest, an absolutely good organisation outside the red part, as good as within the portion, with no ancient estates, yet with such property that they have no occasion for a borough rate, do you think under those circumstances the inhabitants within would have desired the union?—I cannot help thinking so. I think they have demonstrated that by the very fact that they are willing to forego advantages

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now in order to draw the people of the other parts into unity with us.

9365. And perhaps you could say, even if there had been some reluctance, under such circumstances, to the union at first, do you think the subsequent results of the union would have removed that feeling?—I think so. I feel confident that the subsequent advantages would have proved the desirability of uniting the whole in one district.

9366. (*Lord Farrer.*) To carry the hypothesis a little bit further:—Supposing that the outlying districts within the blue line were more populous and larger, and, in a modern sense, more important than the part within, would the part within, do you think, have been willing to give up its property?—*A fortiori* the argument would have been stronger, then, sir, and they would have been more willing to give it up. The argument seems stronger then, that they would have been more willing to give it up.

9367. (*Mr. Smith.*) They would have had something to acquire, as well as something to give up?—Something to acquire, yes. You asked me about some matters over which the corporation exercise jurisdiction. I will read them down. First of all, the corporate estates, which I have mentioned, sir. Then we have markets. There are five markets in the borough, namely, (1) the Great Market-place, 5½ acres; (2) the cattle market, 7 acres; (3) Sneinton market, 3 acres; (4) Bulwell market; (5) wholesale and retail meat market (the shambles). Annual income, 8,000*l.*

9368. (*Lord Farrer.*) Gross income?—Gross income. I have given you gross income only. I have not had time to go into details.

9369. Before you leave the markets, are the markets profitable to you or the reverse?—Profitable on the whole. There are public weighing machines—four in various parts of the borough—provided and managed by the corporation; a fifth about to be put up; gross receipts, 500*l.* Weights and measures—inspecting, adjusting, and stamping of weights and measures. The weights and measures examined last year, 42,000. There are extensive parks and recreation grounds kept in order for cricket, football, lawn-tennis, and golf, besides several smaller play-grounds for children. The extent is 290 acres, and the expenditure 3,500*l.* per annum. We go so far as to lay out cricket grounds, level them, and assign wickets and pitches to different clubs.

9370. (*Chairman.*) Nottingham is a great county for cricket?—Yes; we have a reputation for cricket. We have been losing lately. The town council set up cricket grounds in the parks and preserve pitches for certain clubs. Then we have burial grounds—Only one burial ground under the control of the corporation, but parliamentary powers have been obtained to make others, which will shortly be laid out.

9371. Burial grounds?—We have the control of burial grounds; but at the present moment our burial grounds are in the hands of private companies. Then we have public baths. There are two sets of public baths in the town and a public bathing-shed on the River Trent. The council are about to provide additional accommodation. The police: strength of force, 224; annual cost, 25,000*l.* The central station is at the Guildhall, where there are 32 cells. There are 12 sub-stations, including those now building, containing 35 cells.

9372. That is controlled by a watch committee?—That is controlled by a watch committee.

9373. Up to the time of your extension, was your police confined to the red area?—Certainly.

9374. And you have displaced the county police?—Displaced the county police by ours.

9375. Did that lead to any friction in the county?—No. The county people threatened an objection to our Bill; but we came to terms with them. We bought up all their sub-stations for a certain sum of money, and they gave us a right to use the county hall, which is situated in the centre of the town, and they withdrew all opposition. We paid a small sum as a contribution to the county debt, for which the parts added to the borough might be liable.

9376. (*Lord Farrer.*) Do the watch committee interfere with the discipline of the police, or is it entirely in the hands of the chief constable?—Entirely in the hands of the chief constable. The chief constable has the appointment of men in the police force.

9377. He has the appointment himself?—He has the appointment, but the men are paraded before the watch committee. If he appointed five men, they would come up and they would be asked, "Is your name John Jones? What is your age?" and so forth. A few questions are asked of the men in order that the watch committee may know the men when before them. Beyond that, the appointment is entirely in the hands of the chief constable, and no interference by the watch committee is allowed. He also fines the men for drunkenness.

9378. And dismissal is in his hands?—He dismisses them. He reports all circumstances to the watch committee in a book. It is not often read out unless there is some special circumstance. As a rule they ask him, "Why was such and such a man dismissed?" But the watch committee do not interfere with the chief constable in the discipline of the police force. Of course they would interfere if there was lax discipline, they would call him to account for it.

9379. Call him to account?—Call him to account.

9380. But they would not interfere with the men?—No, that rule is carried out very strictly.

9381. (*Mr. Holt.*) Do the police ever appeal to the watch committee in any case?—Yes, they have an appeal, and I think in 23 years I have known two appeals. They have a right of appeal, and I think I have known only two appeals; neither of them was successful.

9382. (*Chairman.*) Will you go on, Sir Samuel?—Then we have a fire brigade. The central station is at the Guildhall, which is fully equipped with steam engines, fire escapes, and apparatus. There are several sub-stations. The annual cost is 1,800*l.* Then, administration of justice—prosecution of offences committed within the borough, whether at petty sessions, quarter sessions, or assizes; fees and fines received, 3,200*l.* per annum. Free public libraries—central library and reading room, 13 branch libraries and reading rooms; total number of volumes, 72,000; annual issue, 400,000 volumes; borrowers, from 8,000 to 10,000. Then we have University College, with a staff of seven professors and 52 teachers and assistants.

9383. (*Lord Farrer.*) Is that under the town council?—Under the town council. The curriculum includes classical and modern languages, English literature, mathematics, physics, chemistry, natural sciences, and commercial subjects, &c., &c. Dyeing, engineering, and technical classes are held in the new technical schools. A natural history museum (vertebrate and invertebrate) is included within the college. Members are elected from outside the council, on the committee of management, one is appointed by the University of London, one is appointed by the University of Cambridge, and one is appointed by the University of Oxford. There are 1,760 students; annual expenditure, 11,000*l.* Then there is the Municipal School of Art. The subjects taught are drawing, painting, perspective, designing, architecture, modelling, lace design. There are 653 students; annual expenditure, 2,800*l.* The Castle Museum comprises (*a*) permanent and (*b*) loan collections. There are 12 rooms and seven galleries. Average attendance per year, 257,000; annual expenditure, 3,800*l.* Town improvements, purchasing property for street and other improvements: the annual expenditure varies according to the nature and extent of the improvements effected: the costs are raised by loan. Streets and roads: the construction, maintenance, and scavenging of all streets and roads; total mileage, 165 miles; annual cost of repair, scavenging, and watering, 16,000*l.* Sewage

and drainage:-entire sewerage system; main intercepting and outfall sewer to sewage farm at Stoke; repair, maintenance, flushing, and ventilation of all sewers; laying out and maintaining sewage farm, and managing same for disposal of sewage by irrigation. Annual expenditure on sewers, 4,000*l.*; annual expenditure on sewage farm, 8,000*l.* Removal of house refuse: collection and disposal of all night soil and house refuse, staff employed about 200. Public health: inspecting of all property in the borough under Public Health Act, 1875; control of all matters relating to the general health of the community, and matters arising out of the Housing of the Working Classes Acts; provision of drinking fountains; inspection of all food supplies; analysis of food where necessary; conduct of prosecutions arising thereout; provision of lavatories and urinals, &c. The annual cost is 37,000*l.* The epidemic hospital: provision, maintenance, and management, annual cost, 4,500*l.*; hospital staff, 50. Pauper lunatic asylum, 600 patients: annual cost, 19,000*l.* Public lighting: lighting streets, roads, and public places; annual expenditure, 13,000*l.* Meteorological observations are regularly taken and records kept; time current from Greenwich and regulation of clocks. Then we have corporation allotment gardens.

9384. Corporation allotment gardens?—Corporation allotment gardens. Yes, sir; we had allotment gardens long before the question was known in Parliament.

9385. They were very famous?—From time immemorial. We have electric lighting we are carrying out. With regard to gas we go rather far; we manufacture our own residuals.

9386. (*Mr. Smith.*) As well as the gas?—As well as the gas. We manufacture our own residuals into commercial products.

9387. Into bye-products?—Into bye-products. We were in the hands of a contractor, and we found we could make some thousands a year by keeping it in our own hands.

9388. And you keep it in England?—Yes, we keep it in England.

9389. These generally go to Germany?—For making aniline dyes. I may say with regard to gas and water they are very large undertakings indeed.

9390. Can you give us the expenditure?—I can give you the annual income, 293,243*l.* You see we go into the county very largely with gas and water. The borough is only 15 square miles, but we have 133 for gas supply, and we have 65½ for water supply. We are constantly applied to by local boards and others at a long distance. One local board in Derbyshire is applying to us for water.

9391. (*Lord Farrer.*) What distance are you from that?—That would be eight or nine miles.

9392. Is that on the line of your supply?—It is three or four miles from any of our lines of supply, sir. Then we have public buildings. Maintenance and management of Guildhall, police and sessions courts, police and fire stations, Exchange and mayor's reception room. Then office of sheriff: sheriff appointed by town council, bill of cravings paid by corporation. We have the privilege of levying our own executions and hanging our own criminals. Then we have the office of coroner. I think, roughly, I have given you the matters over which we have control.

9393. (*Chairman.*) With respect to the last; you have been a county since Henry II.?—Since Henry II.

9394. You were made a county borough in the Act of 1888?—We were included in the list of 1888. We did not require it. We were a county before that Act passed.

9395. It added nothing to your labours?—It added nothing to our labours, not in the slightest degree.

9396. ((*Lord Farrer.*) Or to your dignities?—In this way; it transferred some of the matters from the jurisdiction of the magistrates to the jurisdiction of the town council.

9397. (*Chairman.*) That is the jurisdiction of the town magistrates?—They were the town magistrates. They used to grant licenses to theatres, but we grant them through the watch committee now.

9398. It made no difference to the organisation of business?—Nothing whatever. We paid nothing to the county, and the county paid nothing to us. We had no relations whatever with the county. From the reign of Henry II. we have had complete autonomy.

9399. You have had your own quarter sessions?—We have had our own quarter sessions.

9400. Your own assizes?—Our own assizes; and our own Lord Lieutenant.

9401. And your own recorder?—And our own recorder. The Duke of St. Albans, Lord Lieutenant; the recorder, Mr. Chandos Leigh. And we have separate commissions of oyer and terminer—a separate commission of gaol delivery. There is always a separate assize of the county of the town of Nottingham.

9402. (*Mr. Holt.*) At the same time?—At the same time, opened in our town hall, and, as a matter of convenience, adjourned to the county hall for the convenience of counsel. We would not raise the question with the county, or else I think the judges would sit at our own buildings, which are rather more convenient than the county buildings.

9403–4. (*Mr. Smith.*) You are about as completely autonomous as any county borough in England, I suppose?—Completely so, and if the town council had the management of the relief of destitution and the education question, we should have one body completely ruling the town. We have one or two little anomalies we are trying to correct by Act of Parliament. I will not refer to that now, only just to say we have parts of two unions, and one of such unions extends into Derbyshire. I do not know where it does not extend.

9405. Would you desire to have those two functions added, the relief of the poor and education?—Yes, sir. The relief of the poor—I think we should be unanimous about it; and very nearly unanimous about education. I think the education question has got so far now that we would like to have that. In fact the education question is in this form—that for educational purposes they borrow from us. We finance them practically. We find not only the money that they require for current expenses, but we raise all their loans for them, and practically very much the same men are on all three bodies.

9406. And their loans are borrowed on the credit of your rates?—Loans are borrowed on the credit of our rates.

9407. (*Chairman.*) Is the school board area now coterminous with that of the enlarged town?—That is so.

9408. Absolutely coterminous?—Yes; absolutely coterminous.

9409. (*Mr. Smith.*) They must be so, I think, under Act of Parliament?—Yes, I think so.

9410. If you enlarge the borough, the school board follows it?—Yes; but we put the schools, in order to make it quite certain, in our Borough Extension Act.

9411. I think the Education Act provides?—Yes, it does so.

9412. When the borough is enlarged the school board follows?—Yes.

9413. (*Chairman.*) And you think the feeling in Nottingham is, as you say, that it would be desirable that the school board functions should be absorbed by the town council?—Certainly, and also the relief of destitution. Boards of guardians' functions overlap now except as to the relief of destitution, and you see how they overlap on us in this way. At the present moment if we have a small epidemic, we will say of small-pox, it becomes a question who shall provide the epidemic hospital. If they are paupers in the strict sense of the word, then the hospitals ought to be provided for by the board of guardians, but if they are persons who are not paupers, but

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without sufficient accommodation to be properly nursed, so that they become centres of infection then they fall to us, and we have the absurdity in the same area of two infectious hospitals.

9414. (*Mr. Smith.*) And you often find, do you not, that the very fact of an infectious disease practically pauperises them?—Yes, certainly; very often so. Of course we are not under the Local Government Board with regard to the treatment of our patients. There is no prescribed formula with us; they cannot say "you shall give them this and you shall not give them the other"; and the consequence is the people prefer to come to our hospital.

9415. (*Chairman.*) If the board of guardians and the town council were fused together, would you desire to have that control of the Local Government Board retained with respect to the work taken over?—I am not a very great advocate of the interference of the Local Government Board. I am afraid I have rather written against it; but I think the Local Government Board can do an excellent work; it can do an excellent work by compelling a minimum, allowing us to do what we like as a maximum. They can say, "You shall do as much as that for the public "health of the whole community"; but let us go as far as we like afterwards,—do what we think for the good of our own community ourselves.

9416–7. You would have no objection to their being entitled to enforce an irreducible minimum?—Certainly not. It is not a question that arises between us and the Local Government Board; in fact, we have no questions with them.

9418. (*Mr. Smith.*) It is rather difficult, is it not, to combine a system of inspection which is suited to a rural board of guardians and to a large town or city, and unfortunately the Local Government Board has to deal with all alike?—Yes, sir; when the inspectors come down, they say, "If you were to see "what we have to do in some little petty places, you "would not complain." We do not complain; for we do not know where to draw the line.

9419. (*Lord Farrer.*) In order that you should take the poor law administration, you would require considerable alteration of areas?—Not for us, except that we should take two parishes, and parts of others away from Basford Union and put them into Nottingham.

9420. By private Bill?—Private Bill. There should be one union, one parish, one set of overseers, one set of rates, and the whole thing would be under one control; one central body to control the whole thing. We should have equalisation of rates all through. And then, sir, of course under the Local Government Board at the present moment the board of guardians cannot send a boy out to a situation, provide him with a new suit of clothes, unless they got special leave from the Local Government Board to do it.

9421. It is a very interesting subject to enter upon?—I am sorry I introduced it.

9422. We did that; but it is scarcely within the scope of our inquiry.

9423. (*Chairman.*) Now, in order to do all these works you divide up your council into committees?—We do, sir.

9424. How many committees have you got?—We have 18 standing committees; and at the present moment there are five special committees, making 23 committees worked at the present moment, sir.

9425. What is the number of persons working on a committee?—They vary from 9 to 18. I think you may put it in that way, sir; the usual number on a committee is about 12.

9426. Of these 23 committees there must of course be persons who are members of two or three committees?—Yes; some are members of two or three committees, but every member of the town council is on some committee. There is no member of the town council kept out of every committee.

9427. Every committee has a distinct chairman?—Every committee has a distinct chairman and vice-chairman.

9428. They elect their own chairman?—They elect their own chairman.

9428*a*. No man is chairman of two committees?—That is so. There is a standing order against it. But we have two instances of violation of our own standing order under rather special circumstances.

9429. (*Lord Farrer.*) Does not that apply to the standing committees only? May not the same man be chairman of a standing committee and also chairman of a special committee?—He may.

9430. (*Chairman.*) Are those the circumstances under which the standing order is violated, or is the same man chairman of two standing committees?—Some little difficulty arose in connection with the water committee and one of its officials, and it was considered that a strong man should go in to take the chairmanship for this year, and he has been elected to the chairmanship, and he is chairman of another committee as well. It is a small committee, the sewage farm committee, but I think we shall have to alter that rule; I think it does not work well.

9431. Of every committee having a separate chairman?—No; I think we must have free choice in the election of chairmen. I think the standing order fettering the choice of the committee is not a wise one.

9432. It is difficult always to secure 23 very competent chairmen even out of 64?—Yes, it is.

9433. (*Lord Farrer.*) So you would allow a man to be chairman of two committees if he can find time for it?—If he can find time for it, yes.

9434. How are the committees themselves selected?—They are appointed in November by the town council; they appoint the whole of the committees in November.

9435. Do the members appropriate themselves to the separate committees in the first instance? How is it done—how is the actual selection made?—As a rule the members are continued from year to year, unless someone loses his seat or desires to resign; he is not discharged from a committee, but he is put on again next year, so that the committees are continuous.

9436. Does he get upon the committee originally by intimating a desire to serve on that committee?—He intimates a desire to serve. The unwritten law is that he goes to the chairman of the committee. The chairman of the committee says, "I have a "vacancy for so many, if you wish to come on I will "put you on," but the numbers put on are put on relatively with the numbers of conservatives or liberals in the town council, so that the minority is as strong on every committee as it is in the town council.

9437. (*Chairman.*) So that there is proportionate representation on each committee?—Proportionate representation on each committee.

9438. (*Mr. Smith.*) You have no general purposes committee who make a recommendation that the members proposed be put on the several committees, have you?—We had a general purposes committee—a sort of committee of selection, but it was such a trouble and took so long and brought about results which were so unsatisfactory that we gave it up.

9439. As you know, we do that in Birmingham, We have a committee of selection (which is the general purposes committee), and they recommend at the November meeting that such and such members should be put upon the committees?—We tried that for two or three years, but it did not succeed, and we gave it up. We find the present system answers very well, that each member when he comes into the town council speaks to the chairman of a committee, and if he has a vacancy he puts him upon his committee.

9440. (*Chairman.*) Is it the rule that members should serve on committees from year to year, or is it the practice only?—That is the unwritten law.

9441. But, as a matter of law, do all committees come to an end at the end of the year?—Yes, certainly.

9442. Then the mayor is the first person who comes into existence?—Yes.

9443. Does he nominate the chairmen?—No; what is done is this: on the 9th November, when the council meet, they first of all, of course, elect the mayor; then they elect the sheriff for the year, and when they have elected the sheriff for the year they proceed to appoint the aldermen, if it is an aldermen's year. Then they appoint the committees. Each chairman gets up and proposes his own committee.

9444. How does he get to be chairman in the first place?—He is chairman from the preceding year; he is not out of office until his committee is re-appointed. Each committee remains in office until its successor is appointed, so until that moment he is the chairman of the committee, and after he has appointed his committee, and his committee is voted in, of course he is out of office immediately.

9445. He proposes himself as a member of the committee?—He proposes himself as a member of the committee. Yes.

9446. (*Lord Farrer.*) That comes before the council?—Yes, that comes before the council.

9447 (*Mr. Smith.*) Technically, does not he cease to be a member of the committee when he ceases to be a member of the council, supposing he went out in November?—No, we keep them on. I hold that his appointment is not vacated by his going out, if he is re-elected.

9448. (*Lord Farrer.*) He died and came to life again?—I have gone into that question a little carefully. Whether I am right or wrong I do not know; I would not put my opinion against anybody else's who has considered the point as carefully as I have myself, but I have ruled that John Jones, say, who has been elected a member of a committee, when re-elected by the constituency, is a member of that committee for the nine remaining days of November.

9449. (*Chairman.*) Inasmuch as it is mere usage it is not important is it?—No, it is only nine days.

9450. For a man who has never been in before, it is not a question of survivorship. You would technically get up and propose that A, B, C. D, E be members of the committee?—No, sir, we would not. If there was a vacancy in the office of chairman of the committee the vice-chairman would propose it. If there was no chairman or vice-chairman the mayor would propose it.

9451. Are they not all in the same position as far as right goes to make a proposition as to the composition of the committee?—Any member of the town council can get up and propose whom he likes.

9452. Yes, that is what I suggest?—If there was not a general consensus of good feeling in the town council it would take a month to get the committee appointed. All sorts of motions would be made. What would have to be done would be for the mayor to exercise his ruling authority.

9453. I was suggesting to you as a matter of political right and law that every person might get up and propose a committee?—Any person could set the usual procedure at defiance.

9454. Therefore it is of no importance to consider the position of any person who has been chairman and has been re-elected, as to whether he would still remain chairman or not?—No.

9455. (*Lord Farrer.*) Supposing that a committee is a favourite committee and there is one vacancy upon it and three or four people wished to be on that committee, they would all apply to the chairman would they?—Apply to the chairman.

9456. Would he bring the thing before the committee?—He does sometimes if he has the opportunity. He very often mentions to the committee that there is a vacancy by the resignation of such and such a person—whom shall we put on?

9457. And they would say out of A, B, C, D, A would be our best man?—Yes.

9458. That recommendation, I suppose, would come before the council and be confirmed by the council?—And be confirmed by the council. It is of course open to B if he is discontented with the decision to propose himself or to get somebody else to propose him in place of A, but I do not remember it having been done for 23 years.

9459. (*Chairman.*) All these things are formal, but at the same time they are potential methods of getting the committees elected. The actual work is done at a full meeting of the council?—At a full meeting of the council.

9460. (*Lord Farrer.*) Of course no man is ever put upon a committee against his will. You would not get any work out of him?—No, I think not. That is a general proposition which I think we may take as true.

9461. (*Mr. Holt.*) You are quite aware that the custom varies very much in different places?—Yes; I am only speaking of what prevails with us.

9462. (*Chairman.*) Will you give us the names of these committees?—Yes; there is the Castle Museum Committee, Electric Lighting Committee, Estates Committee, Finance Committee, Freemen's Committee, Gas Committee, General Works and Highways' Committee, Guildhall Joint Committee, Health Committee, Improvement Committee, Lighting Committee, Markets and Fairs Committee, Parliamentary Bills Committee, Public Baths Committee, Public Parks and Recreation and Burial Grounds Committee, School of Art Committee, Stoke Farm Committee, University College and Free Libraries Committee, Watch Committee, and Water Committee.

9463. The committee being constituted, how does it set to work?—It first of all has to present a report of what its requirements will be for the year—its expenditure for the year. As an illustration of that, take the health committee. First of all they present a report of what they will require for their expenditure for the year. That report is sent on to the finance committee. The finance committee collate the whole of the reports of the comittees, and they are brought before the council in the form produced. That is the budget.

9464. (*Mr. Smith.*) "Form of estimates"?—Form of estimates; and there is a report at the beginning of that book from the finance committee upon these estimates. They make any observations they like upon them.

9465. (*Chairman.*) What is the exact year taken in these estimates, from 1st January?—From 31st March to 31st March is the municipal year.

9466. This estimate is presented to you about what time?—You will see the date of it outside, on the first page.

9467. I meant by the committee to the finance committee?—About a month before that. It takes about a month to get all the estimates made and to go through the various committees. As soon as 31st March is over each committee knows exactly where it stands with regard to the past year's expenditure, and then they themselves or a sub-committee go carefully into the expenditure of the next year.

9468. They wait until the year has begun?—They wait until the year has begun before they do that.

9469. There must be some expenditure going on unauthorised?—There is very considerable expenditure going on for three or four months.

9470. Under what authority is that?—I do not know that I could quite cover that by any authority if I were pressed for it, but that has been our system as far as I can remember. I know in Leicester they do not adopt that. They begin early in the year. But then they have to make estimates of what their probable expenditure will be. They do not get the actual facts before the council. We wait until we get the actual facts of the past expenditure, and it is upon them we have to make our rate. I should feel there would be some difficulty in making a rate for simply estimated expenditure.

9471. Even though it is within three weeks of the expiration of the year?—I do not see that we have power under the Public Health Act to do otherwise than we are doing now, but it is a very unfortunate circumstance, because the bankers have sometimes to

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give us credit for 100,000*l.* before they get anything back from the rate—perhaps more than that.

9472. (*Lord Farrer.*) You are the same authority, the same body, before the estimate is made with the sanction of the council as afterwards?—The same body.

9473. In London every third year, as things stand at present, the council is elected in March, and they have to pass their estimates as practically prepared by one council and voted by another?—Yes.

9474. (*Mr. Smith.*) In municipal corporations, although we end on 31st March, yet the elections come in November.

9475. (*Lord Farrer.*) Quite so; it just makes all the difference?—The estimates are collated by the finance committee and presented to a meeting of the town council. Every estimate is put before the town council; then the chairman of every committee has to justify his estimate to the town council if it is disputed.

9476. (*Chairman.*) It first of all passes the finance committee?—It first of all passes the finance committee; then the finance committee collate them and bring them together in one body and present them in form and say: "If this is the expenditure you are going to allow, you must make such and such a rate to meet it." They give such and such sources of income, and the deficiency that has to be made up by rate.

9476*a*. (*Lord Farrer.*) Does the finance committee exercise any sort of control over the estimates submitted by other committees?—If they see anything very wrong it is their duty to call attention to it, but the other committee would not put up with the interference of the finance committee.

9477. There is nothing at all like the control of the Treasury over the other departments?—Certainly not; they would not put up with it.

9478. (*Mr. Smith.*) A judicious chairman does exercise a little pressure, does he not?—It is very different if they are overspending the estimates.

9479. (*Lord Farrer.*) That is another point?—The chairman has to justify it at the council meeting. For instance, the chairman of the health committee gets up and says, "I propose that the health committee be allowed 37,000*l.*, according to the estimates, "for the ensuing year." Somebody seconds it and it is carried. Each chairman has to justify his estimate to the town council. When that is justified the chairman of the finance committee proposes the rate which consists of a series of resolutions authorising each committee within the limits of its delegation and the limits of the amount which it requires, to spend that money, and during the year we hear no more of that.

9480. So that is a real sanction?—A real sanction.

9481. Given at that time?—Given at that time, to spend 37,000*l.* by the health committee. We hear no more of that till the time is over.

9482. (*Chairman.*) When it next came round you might hear some discussion as to how it had been spent?—It is possible on two occasions to have public discussion as to how money is spent; first of all, on the annual report of the committee; secondly, on the report of the auditors. We have our accounts audited; it takes three months to audit our accounts. We have local auditors, and we pay 160*l.* a year to each auditor, and he puts out in detail everything he has to say. Then it can be discussed on the auditors' reports when they come up to the council to be disposed of.

9483. Does the auditors' report go to any committee before it comes to the council?—Every committee affected by it has a copy of it, and it is for them to make any comments they like on the margin of it.

9484. There is no special committee besides that?—No special committee. In addition to that any member of the town council (if it comes to his knowledge that the expenditure of any committee as he thinks is unwise or improper) can give notice of motion, and bring the whole thing up for discussion before the town council; but I do not think that is done once a year on an average.

9485. Your system is very much the same as the imperial system, except that the finance committee does not affect to control the separate committees?—No; they would not submit to it. We tried that on. We tried to make the finance committee consist of the chairmen of all the committees, but the finance committee could not exercise control, for instance, over the health committee, if we had occasion to deal with an outbreak of small-pox, which would have to be dealt with instantly on the occasion of its momentarily arising, and the finance committee would not have the necessary information before them to form an opinion as to whether that expenditure was just or right independent of the health committee.

9486. That would no doubt be the case also with imperial administration. The central authority at the Treasury would have a word to say as to the character of the organisation, as to the relative pay of clerks and superintendents, so as to keep all branches of the administration in the same line?—The finance committee have nothing to do with clerks and the payment of clerks in the various departments. They have to do with those who work in more than one department, and who become a sort of general servants of the corporation; myself, the borough engineer, the medical officer of health, and officers of that sort.

9487. (*Lord Farrer.*) The finance committee would deal with their salaries?—The finance committee would deal with their salaries.

9488. (*Chairman.*) You could conceive the health committee and the gas committee having questions of wages before each of them, and the finance committee in that case might have an important and valuable effect in bringing the action of the two committees into agreement with one another?—Neither the gas committee nor the health committee would put up with any interference from the finance committee in that respect.

9489. (*Lord Farrer.*) And may the one be paying labourers at one rate and another paying them at another?—No; payment is made in accordance with the standard rate of wages fixed by the trade unionists. We observe the standard rate of wages.

9490. (*Chairman.*) Before that principle?—Before that principle there was a difference no doubt between the pay, but the work of the gas committee is very different from the work of any other. The work of stokers and men of that class is so very different from the work of scavengers in the streets.

9491. Do you know whether the practice of any other corporations is the same as your own?—I believe we vary very much, but what we strive to do is this: the council is a sort of *quasi* legislative body, and it lays down the policy of the corporation and declares to what extent it shall be carried, and in what direction it shall be carried, and what committee shall carry it out. After that it interferes no more with the committees.

9492. All that would apply to Parliament, would it not?—Yes.

9493. Still, we find the value of the Treasury?—With regard to principle, supposing something new occurs; supposing such a thing happened that it was considered desirable that we should cleanse and execute works of sewage in a stream or a river not included in the estimates at all. If the committee was of opinion that that was a necessary thing to be done, they would present a report to the council about it.

9494. (*Lord Farrer.*) The council has first to sanction that?—The council would have first and second readings of it, as if it were a Bill, and if the matter is urgent, the standing orders are suspended. Having passed what is equivalent to a first and second readings it is relegated back to the committee and within the limits as to money they say it will cost, they are empowered to carry out the work, and the finance committee borrows the money.

9495. When an expenditure has been voted in the annual budget, does it come before the council again?—Not again.

9496. It is then a question of appropriation?—It is then a question of appropriation.

9497. There is no question of further sanction?—No further sanction is required.

9498. Are those estimates really carefully examined by the council before they are sanctioned?—Sometimes the whole of the estimates are done in half-an-hour; sometimes they take two days. It depends upon what questions arise. Some of them are current expenses year by year, and call for no comment, but if there are extraordinary expenses put into the estimates, for instance, if an extraordinary estimate is put in with regard to embanking a portion of the Trent—that would be under the works and ways committee—it would be sure to lead to a considerable discussion on the principle.

9499. (*Chairman.*) The difference between half-an-hour and two days arising from some new works being undertaken?—Some new works.

9500. (*Mr. Smith.*) Where you obtain from the council a vote for a new work, I presume when the report of the committee comes up you say how that money has been expended, and whether you have kept within the estimate or not?—When the work is finally completed we do.

9501. So that there is that check—there is a distinction drawn between the new payments on capital account and the ordinary administrative expenditure of the committee?—Certainly, but as far as new expenditure is concerned it is voted by the council and a committee is appointed to carry it out.

9502. The objection which is felt by the various committees to having a controlling committee in the shape of a finance committee is this, is it not; that they claim the right to have a vote of the council upon items of expenditure, and not the vote of the finance committee?—The real reason is that they say the finance committee, unless they are sitting there with the committee, do not know and cannot know the work of that committee, and for them to try and control a thing about which they know nothing leads to great difficulty, and puts them in an absurd position.

9503. Notwithstanding that you do not possess that control, what would happen would be this, would it not? Supposing that the expenditure of a particular committee was larger than the chairman of the finance committee thought absolutely necessary, he would exercise a little gentle pressure if by that means he could reduce the rate by a penny in the pound?—Yes, he would do that. In addition to that, I may say that when the estimate is passed the committee every month have a report from the chief accountant showing what money has been spent, and if they have overspent their estimate then it becomes the duty of the finance committee to stop their cheques in the last resort, and to report to the council why they have done so. That has only arisen twice, I think, in my experience.

9504. Do your committee draw their cheques direct—make their orders direct on the treasurer? How is that done?—No; they have a sub-committee which goes through the accounts first, and no one can incur an expense except the head of a department, and he has to use an order form of that sort (*order form handed in*). That is the order form, in which everything begins except in the case of large contract works, which are, of course, under seal.

9505. (*Chairman.*) You have the counterfoil?—He has the counterfoil. Those are sent on to the accountant, who has to compare them with the bills and see that they are correct. If they are correct they go to the head of the department for him to see that the work is correct, and after he has certified it it goes before a sub-committee of, say, the health committee, for instance, which sits specially to pass all their accounts. They are put on to sheets like that, and these sheets are ultimately sent to the bank (*sheet shown*) after passing the finance committee.

9506. (*Mr. Smith.*) That is the statutory order on the treasurer?—The statutory order on the treasurer signed by three members of the finance committee, and the treasurer does not honour anybody's order sheets unless they are signed by three members of that committee and countersigned by the town clerk. Then the accountant draws against every item in that form. Of course sometimes there may be a dozen or twenty of these sheets, as in the case of the half-yearly annuities or anything of that kind.

9507. (*Lord Farrer.*) I wanted to ask you this question in reference to the way in which things are done at the London County Council. Supposing you take an item of the estimated expenditure of the general expenses committee?—That is the finance committee.

9508. That will do as well as any other. Here is an item, "furnishing, cleaning, and repairing Guild-"hall, St. Peter's Church-side, and Exchange Rooms, "400*l.*" When that has been passed in the annual estimate that does not come before the council again?—No; it does not come up again until the treasurer's report is laid before the council. That will be found in this document; the expenditure of that will be out of the rate.

9509. That is a question of appropriation, not a question of the sanction of expenditure?—No; it is a question of appropriation which the council thought it right to sanction.

9510. After it has been sanctioned and spent according to this the committee is discharged?—Yes, the committee is discharged.

9511. So that you do not have every week or every month all the items of expenditure coming before the council?—We do, in a sense, for the security of the treasurer. At the end of every meeting of the council the chairman gets up and says: "The orders on the "treasurer are now upon the table, at such and such "pages therein, and I propose that they be confirmed "by this council." Then they are signed by three members and countersigned by myself, and that is all we do with them. I never heard an item of such expenditure questioned, and if anybody questioned an item he would be requested to give notice.

9512. (*Chairman.*) Supposing any person had a strong feeling about the embankment of the Trent, or anything of that kind, and took it up when the committee first presented their estimate for the budget, would he have any opportunity of reviving it?—No; he would not be allowed, the council having decided the question he must abide by the decision of the council. The council could not have the business done two or three times over in that way. Supposing, for instance, that someone went and bought a mayor's chain for 100*l.* Some member of the town council then would say, "I see in these accounts 100*l.* for a "mayor's chain, I shall give notice that I shall call "special attention to it at the next meeting of the "council." Then it could be discussed; with what results I will not contemplate.

9513. (*Lord Farrer.*) Supposing that the committee that has charge of your parks or open spaces wishes to take on additional labourers, if that comes within any general item in their annual estimates, they would not have to bring that proposal before the council?—Certainly not; no committee except, I think, the general works and highways committee, which is a very excellently governed committee, can keep to their actual estimate. The health committee cannot. This year the health committee have overspent their estimate by 2,000*l.*

9514. That is brought before the council?—Yes, that is owing to the special epidemic wards erected this year.

9515. But as to what is contained in the annual estimate, these items are not brought before the council again?—Each committee that over-spends has to get its bill of indemnity when its report comes up.

9516. (*Mr. Smith.*) I think you are aware of our practice in Birmingham. We do not bring any of these orders before the town council. We delegate

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all that work to a committee. Our standing order perhaps I might read. The first instruction to the finance committee is this:—"To make orders in "writing on the city treasurer for payment of "monies resolved to be paid by the council, and of "monies which the several committees of the council "are authorised to expend, and of any accounts "owing by the council upon the treasurer, laying "before them schedules thereof, and upon the same "being found correct, such orders shall be signed by "three or more members of the council, being "members of the finance committee, and counter-"signed by the town clerk"?—Yes; we do that for the security of the treasurer, that is all. It divides the responsibility. There are nine members of the finance committee.

9517. He gets a sort of monthly whitewash?—He gets a sort of monthly whitewash. The finance committee get everything they vote passed by the whole council once a month. It is purely a form. No one ever takes the slightest notice of it.

9518. (*Mr. Holt.*) The proceedings of the several committees do not come up for sanction and approval at the monthly meeting of the council?—No. If any committee has anything to bring up before the council they bring it up in the form of a report.

9519. (*Mr. Smith.*) That is our practice too?—That is your practice.

9520. (*Lord Farrer.*) Do you happen to have any of your agenda papers; any actual agenda?—That is the agenda, "You are hereby summoned," &c.

9521. (*Chairman.*) What you have been telling us applies to the ordinary expenditure. In case of any special expenditure upon a new work, a proposed expenditure of capital, the process is different?—Yes.

9522. Tell us what it is?—Take, for instance, the question of electric lighting, which has just been before us. Some member of the town council becomes convinced that the time has arrived when the council ought to take up the question of electric lighting. He probably first comes to myself. I am the first person generally who hears of a thing. He comes to me and talks it over with me, and I tell him what our powers are and what the law is about it, so far as I happen to know it. I then discuss the whole question with him on the ground of policy, and he says to me, "Will you get all the information you can?" If he is a member of the council important enough to take it up seriously, I devote a considerable amount of time getting him all the information he wants in order that he may be master of the subject. When he has completed his information he puts a notice on the agenda and brings the question of electric lighting before the town council; he makes his speech, explaining his policy, and then he probably moves for a special committee of enquiry. After a committee has been appointed—it goes almost without saying that he gets his committee of enquiry—they sit to go into the whole question again. He tells them what he has ascertained; they make perhaps further enquiries, and go themselves to places where electric lighting stations are in work; they go thoroughly into the whole question and perhaps take two or three months about it. At the end of that time they bring up their report to the town council. Perhaps that report in the first instance is to the effect that they ought to have power to employ experts to advise them about it, and asking, therefore, that they should be authorised to spend what money they require for that purpose. Having a vote to spend that money——

9523. A definite sum, I suppose?—No, no definite sum. The committee, if they can be trusted at all, can be trusted to be wise in such expenditure.

9524. (*Lord Farrer.*) No definite sum?—No. The members of the committee selected from my council would not be tied down to a definite sum. They would say, "You are going to trust us with the consideration "of the important question of electric lighting, which "will involve an expenditure of thousands, but you "doubt whether we can spend a 10*l.* note wisely. "You can trust us with thousands, and yet you can-"not trust us with a small leakage from the spigot." When they had got powers from the council to do that, they would employ a great authority on electric lighting, and more than one, if one was not sufficient. A report would then be drawn up, and the matter would go back to the council, and the council then would say, "We think we ought to have electric "lighting; let us see what it will cost; bring up "plans and so forth." Then they would bring up all the plans and details, and after carefully considering the matter through two or three further meetings, the council would come to the conclusion (as our council did) that they ought to have the electric light, and that it would cost so much money, and the matter would again be relegated to a committee to carry it out. The committee are spending that money now, and the town council do not again interfere.

9525. When they do that then they bring a definite sum?—They bring a definite sum which they want to spend.

9526. (*Mr. Smith.*) Will you allow me to supplement what you say by adding that that is very much the practice of the Birmingham Town Council, with one exception, that we very rarely appoint special committees. We generally find one or other of the committees sufficiently nearly connected with the business in hand to justify our submitting it to one of the standing committees?—We follow you very much in that, but with a special thing like the electric light we considered it should be referred to a special committee.

9527. We referred that to the General Purposes Committee and they reported upon it?—The special committee goes on with its work, finishes it, and reports what is done to the council, and then either a permanent committee on electric lighting would be appointed or the subject would be handed over to an existing committee.

9528. (*Chairman.*) The subject would come before the council as a body, twice at least?—Twice or three times.

9529. First on the appointment of the committee, and, secondly, on the report of the committee sanctioning the scheme?—Yes.

9530. (*Mr. Smith.*) Where it was inevitable that money would be required for expert advice, you would put that in your first resolution?—Yes, in the first resolution.

9531. You would authorise them to make such enquiries, and to employ such professional or other witnesses, as might be required?—That would be so.

9532. (*Lord Farrer.*) Are you aware that the Local Government Act requires the sanction of the council for every payment of a certain amount?—Which Act, the Public Health Act of 1875?

9533. No, the Act of 1888.

9534. (*Chairman.*) The County Council Act?—Yes, when it is over 50*l.*

9535. (*Lord Farrer.*) Wherever any liability is to be incurred, or payment made, to the extent of 50*l.*, the consent of the council is required, so it must be brought before them. That is not the case with you?—I hit the other day upon an old standing order of my own council which was in force about 30 years ago, just parallel with that, to say that no special expense could be incurred unless they got a second vote from the council about it.

9536. That has been done away with?—It was simply impracticable. It could not be done. We have ten or twelve committees sitting a week. The council would have to sit as often as the committees did.

9537. (*Chairman.*) Such a matter would be brought before the council twice at least, but on an important matter you have first and second readings?—Yes, sir, first and second readings.

9538. Therefore, it would be brought before the council at least three times?—Yes, the first and second readings, or, on a matter of great urgency, the standing order would be suspended.

9539. At the council meetings reporters are present?—Yes; we have a verbatim report in the evening papers of the council meeting and in the papers on the following morning, but at the committee meetings no reporters are present.

9540. (*Lord Farrer.*) Are the meetings of each committee open to any members of the council?—I think we should never object to that, but usually when members of the council come in they ask the chairman if there is any objection to their being present as they are interested in the question; but a member adverse to the policy of the committee would not be permitted.

9541. He would not be permitted?—No, sir.

9541*a*. He has not the right to be there?—He has not the right to be there. It depends upon the permission of the chairman.

9542. (*Chairman.*) You have already said something of your own functions. Perhaps you could give us a little further statement of what you do?—I am the professional adviser of the corporation and I attend as many of the meetings of the committees of the corporation as I possibly can attend. All public prosecutions within the borough are conducted by me or under my superintendence; also all actions by or against the corporation. These are of very small amount. We have not spent 200*l*. a year in law in any one year since I have been there. I am the head, of course, of the staff of officials. The engineer and the medical officer of health come to consult with me. The chief constable sends up and reports to me in all cases in which he wants my opinion as to whether or not there is sufficient evidence to justify proceedings. Then I have a deputy town clerk, and I also have two assistants—assistant solicitors—three when my staff is full; they attend all the meetings of the committees. I share the committees among them. They work on certain lines. I do not let one man take the whole thing. One man takes one department, and another a second, and another a third.

9543. Do you shift them about from committee to committee?—I do not. For instance, take the Public Health Act, 1875. I have one man well up in the Public Health Act of 1875. He is also well up in the orders issued by the Agricultural Department with regard to contagious diseases and he is better qualified than I am on technical points, and in any matters of detail upon which I am appealed to, it is his duty to have it ready for me to advise the committee, in case I am wanted to advise.

9544. The additional work brought on you by the Local Government Act of 1888 was so small that it made no difference to the organisation of your office?—No difference, sir. I have described here as far as possible the duties of the different officers and the different departments.

9545. Well, one might have some account of what the borough engineer does, and his relation to you?—His relation to me is that he comes to me in all cases of difficulty and confers with me. In any matter in which he is likely to be interested he attends and hears what passes at a committee, but until it is reduced into a form of a minute, and is sent on to him as a minute, he has no authority to act. He gets authority to act from me.

9546. He would not act under the direction of the chairman of the committee directly?—He would in a case of emergency only. Then the chairman would have to explain at the next meeting why he had given these orders, because we do not allow chairman of committees to give orders. At one time chairmen of committees were fond of giving orders, and bringing the bills in their pockets to be paid, but we stopped all that 20 years ago. The chairman of a committee has to act through some official in his department, as a rule. And we do not admit that the chairman of a committee has any authority—scarcely any authority—except in case of emergency, outside his committee room.

9547. If he did act in that way in cases of emergency it would pass through you subsequently?—Subsequently I should report to the committee and ask for indemnity.

9548. You do *nunc pro tunc*?—Yes.

9549. The engineer has certain persons under him?—He has heads of departments under him; there is the estates surveyor to look after the estates; the building surveyor to look after all our building bye-laws, and to see that the buildings are put up according to our regulations; a road surveyor who looks after all the scavenging of the streets and the repairing of the streets. There are private improvement works, that is to say, streets which are not public streets chargeable to the inhabitants at large, they are looked after by a special staff. There is a little peculiarity about the office of borough accountant. The treasurer is a banker. That survived to us. He ought not to be; he ought to be one of our officers. The council have not liked to displace the old firm.

9550. You ought to have an accountant?—Practically, he is treasurer. He does not keep the money, the money is kept at the bank. He has to put everything into the bank every night, and he cannot draw out except to the extent of the order which has been sent on by me to the bank beforehand; and then they tick off on that sheet I showed you just now, every payment upon a cheque presented; so unless there is an entry on my sheet which is sent to the bank, his cheque would be dishonoured.

9551. Do you contemplate having a borough treasurer, who should be an officer of your own?—Yes, we contemplate that. Next change we shall have an officer of our own.

9552. Then the borough accountant will be absorbed in that office?—Unless he is appointed to that office himself.

9553. I mean that the two offices will be absorbed into one?—Oh, yes, that is so.

9554. You have a medical officer of health?—Yes, we have also a medical officer at our epidemic hospitals—a resident hospital surgeon.

9555. A different man?—A different man, yes.

9556. Resident?—A resident surgeon.

9557. Is he under the general medical officer?—Yes.

9558. What is the nature of his dependence or independence of the council?—He works entirely with the health committee. He is not obliged to attend council meetings, and what he does seldom or never comes before them, excepting once a year, when the committee ask for their annual grant or some special work comes up, and he has to be present. He attends every meeting of the health committee, and gives them statistical returns of what has happened during the past week, gets votes from them for all that he wants, and orders for all nuisances to be abated, and so forth.

9559. He is appointed by the council in the first place?—He is really appointed in the first place by the health committee, and his appointment is confirmed by the council.

9560. They recommend him?—They recommend him, and they report to the council that they have appointed him, and ask for confirmation.

9561. (*Lord Farrer.*) What salary does he get?—600*l*. a year, I think it is.

9562. (*Chairman.*) They sift the candidates, select one man, and appoint him, and he is confirmed?—He is appointed under their general powers. His confirmation they leave to the council. They appoint him. There is some difference. It is open to the council to say whether or not such a person should be appointed. The committee say: "We have gone through the list "of candidates and we find such and such a person "should be appointed; we have appointed him;" unless there is some very grave reason, no question is raised in council on report by the committee.

9563. (*Mr. Smith.*) He is a corporate officer?—A corporate officer entirely, with certain statutory powers?—With certain statutory powers.

9564. (*Chairman.*) He can be displaced only by the corporation?—Only by the corporation.

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9565. (*Lord Farrer.*) When he is so named by the committee it would not be open to the council to propose that somebody else be elected in his place, but only to refuse to confirm the appointment?—If there had been anything wrong in the appointment that would very soon be done.

9566. In a case of that kind do you adopt the plan of referring back to the committee? Is that a common form of finding fault?—It is a very common form of moving the previous question. Practically the council do not give any decision, but refer back to the committee.

9567. Does it mean that the committee have to reconsider the report and bring it up with some new recommendation?—It means both. Sometimes it means that the question is done for; there is no chance for it. If there is an overwhelming majority it is done for; if it is not a very large majority the committee will take heart and report again with some modifications.

9568. (*Mr. Smith.*) Let me understand, you can only appoint a medical officer of health for a city, or a town, through a committee by reason of some delegation to that committee of the power of appointment; so that practically that is appointment by the council?—It is appointment by the council.

9569. An inferior officer may be appointed by a committee, but a medical officer of health, being a statutory officer, must clearly be appointed by the town council?—Oh, yes, we took powers under a local Act to enable us to delegate to a committee the whole of the powers vested by the Public Health Act in the council. Under that delegation, they can appoint a medical officer of health.

9570. Your health committee is practically your urban sanitary authority in that respect?—That is so, but they would not make such an appointment without reference to the council, so that the medical officer should recognise his position as the servant of the town council.

9571. He has certain statutory powers independent of the town council?—And duties as well.

9572. He may report upon unhealthy areas and also force on improvement schemes?—Certainly it is his duty to do so. The medical officer of health, like the chief constable, holds a very independent position with us. He is considered an expert authority in his own vocation and his recommendations have the greatest possible weight.

9573. (*Chairman.*) How far is that usage and how far is it right?—It is partly usage.

9574. (*Mr. Smith.*) But it is statutory in the instance I have given?—Yes.

9575. A medical officer of health can make a report which the town council are obliged to take into consideration, and which may involve a large expenditure of money?—Yes.

9576. (*Chairman.*) But the town council can displace him on short notice and remove him?—Yes, they can displace him at any council meeting.

9577. I mean the medical officer of heath?—The medical officer of health. Every servant of the corporation holds office during the pleasure of the town council. There are some few exceptions of minor officers, but all the principal officers hold office on those terms.

9578. (*Lord Farrer.*) Have you any system of pensions?—No, we have not.

9579. You have no pensions?—No, we have never discharged a principal officer of any kind.

9580. On retirement of an old servant do you do anything for him at all?—We give him nominal employment. He is made a messenger or something, if he has been with us a number of years and is utterly worn out.

9581. You could not make a messenger of the medical officer of health?—We could not.

9582. What would you do with him after long service?—I do not know. Dr. Seaton was with us; he is now with the Surrey County Council. Dr. Whitelegge was with us; he is a great man in the West Riding of Yorkshire now. Those are the only two men we have ever had. Our present man will probably stop with us till he gets something else.

9583. (*Lord Farrer.*) You have never had a difficulty with a man whom you wanted to retire, but whom did not like to turn him away, though worn out?—No, we have not. All these appointments are made purely on the ground that the best man that becomes a candidate gets the appointment. Dr. Seaton was appointed in that way; not a soul knew him.

9584. You have been educating him, and he has got a better place?—Yes, and Dr. Whitelegge the same.

9585. But there would come a time, would there not, when an officer arrives at a time of life when he can no longer do his duties efficiently?—It would be very useful if we had a pension fund, no doubt. All officials would like it, I daresay; we have no pension fund, and yet we have a clause in a local Act of Parliament enabling us to begin a pension fund. Several times I have tried to go into the question.

9586. (*Chairman.*) Hitherto circumstances have not compelled your consideration of it?—No, sir, but we may have six or seven or eight people—worn-out persons—whom we give something to.

9587. You have police pensions, have you not?—Yes, of course.

9588. (*Mr. Smith.*) It comes to this, that where there is no pension fund, each case is dealt with on his merits?—On its merits. If a man has been in the gas works for 40 years, and entirely worn out, the committee will give him something for the rest of his life.

9589. (*Lord Farrer.*) They have the power to do that?—I do not think they have. We do not wait in the country for actual powers to do everything.

9590. (*Mr. Smith.*) I may say we have taken the precaution to get the powers?—I do not think any ratepayer would object to that payment. A man must go to the union and be a charge on the rates in one form or another, and if we give him a little more, and help him out of the union, I do not think anybody in the town will grumble at it.

9591. You have not had the case of a high officer who has been in a position to require a pension?—We have not. My predecessor in office was in private practice as well, and made a large fortune, so the question did not arise with him, although he attained a great age.

9592. (*Chairman.*) And now let us proceed to the educational work; you have your University College?—We do there every kind of work that is necessary to fit students to pass the degrees of London University, and also of Oxford or Cambridge. The Oxford and Cambridge affiliation scheme has not produced any result at present. The candidates would have to pass one year and eight months at Oxford or Cambridge in order to take their degrees. We were rather brave when we went to Oxford and Cambridge, and we said we did not want anybody to take a degree unless he took it in honours. People will not run the risk of a year and eight months' residence and not be able to get a degree because they fail in honours.

9593. Was this college organised in the first place as a municipal institution?—Yes, entirely organised as a municipal institution on the advice of competent people—the best people at Oxford and Cambridge and people in the University of London. We sought that advice.

9594. You had a large private subscription I suppose?—We had no large private subscriptions, excepting a sum of 10,000*l.* The college cost us altogether about 100,000*l.*, exclusive of the land which the corporation devoted to the purpose.

9595. Have you any special authority, or is it under your general powers?—We took a general Act in 1874 rather in anticipation of the possibility of our wanting a college of this kind. Under that Act it was that we raised the money.

9596. That constituted the town council the governing body of the institution, if it were started?—We made a kind of charter I was going to say, but that would be the wrong name for it—we made a scheme, a sort of charter for the college. Under that charter, or under that scheme, which passed the town council, there are nominees from the three universities who sit with us if they choose to do so.

9597. That is in respect of the organisation of the education, I suppose?—Yes. The Right Hon. Mr. Acland is one of our members, but of course he never comes near us now.

9598. How long has he been?—Ever since the first foundation, I think; or he succeeded Mr. Jackson. I am not quite sure that he did not succeed Mr. Jackson.

9599. Did he never come to you before he was so busy?—Oh yes, he came once or twice down to us.

9600. You have a special committee, I suppose, for University College?—A special committee, with chairman, vice-chairman, and secretary, and I attend most of their committee meetings, in fact all I can attend I do attend. Then there is the principal of the college and the board of professors; and they sit and all educational questions are brought before them. They report to the general committee of management, and the general committee of management hitherto has usually adopted all the suggestions of the board of professors.

9601. How is the principal appointed, supposing there was a vacancy in that office?—The principal is appointed by the committee. I think in that instance they would probably report to the council, because they would like to have the additional importance given to the office by the fact of its having been confirmed by the town council. The other professors or teachers, of whom there are 52, are all appointed by the committee of management.

9602. They are not even nominally appointed by the town council?—Not even nominally. The council have an opportunity of knowing who they are once a year, because once a year a list of every servant of the corporation, and the salary each receives is presented to the council.

9603. What is the character of the tenure of the office of the teachers and professors?—I think they have to give a term's notice and we have to give a term's notice.

9604. A term's notice on either side?—Yes, but we have only had one leave us since we have been established. Dr. Symes was with us at the very first. Then we had Dr. Fleming, who is now in London. He has taken a position at the University of London. He was succeeded by Professor Garnet, who went from us to Durham, and from Durham he has gone to London to take some other position in technical education under the London County Council.

9605. (*Chairman.*) He went to Newcastle, did he not?—He went to Newcastle as part of the Durham scheme, and then he went to the London County Council. Then we have now Professor Heaton in his place, who has been with us ever since. Professor Clowes has been professor of chemistry with us from the foundation, and one professor of natural history was a gentleman who did not get on well with us, and it was felt better that he should leave. He is the only one who has left us in that manner.

9606. You say you have spent 100,000*l.*, I think?—Yes, and it costs us 11,000*l.* a year to keep it going.

9607. Is that after the receipt of fees?—Oh, no.

9608. What is the net cost to you now?—The net cost to us for annual expenditure is a 1*d.* rate.

9609. How much is a 1*d.* rate?—3,200*l.* a year. It will be 3,250*l.* next year. We vote a 1*d.* rate every year to the college, and then the rest is made up by fees and by grants on results, by Mr. Goschen's grant, and by the beer money.

9610. (*Lord Farrer.*) Does the technical education grant go to your college?—Yes; but not the whole of it. We devote a certain portion of it to technical schools in the town. The secretary of the college is appointed inspector, and he inspects certain schools in the town to see what pupils there are there. If these schools are well conducted we apportion a certain amount of that grant to them, and the rest to the technical schools which form part of the college.

9611. (*Chairman.*) How many years has this college existed now?—I think it is ten years now. It was opened by the late Duke of Albany. Foundation stones were laid by Mr. Gladstone and Lord Carnarvon.

9612. You have experienced no difficulty as a corporation in governing and conducting this institution?—No, none whatever; it works very smoothly indeed.

9613. I suppose there is considerable permanence in the constitution of that committee?—Oh, yes, just like other committees. The difficulty we have now is that our buildings are too small. We have too many students. We cannot afford to have any more students. We shall be obliged to have an entrance examination, in order to keep students out. The evening students do not pay sufficient to cover their costs.

9614. What are the fees?—I shall be happy to send up one of our prospectuses—one of our calendars. I have forgotten, they vary very much indeed.

9615. At one time you had a very flourishing mechanics' institute?—That is very flourishing indeed. In that also our numbers are too large. I am one of the vice-presidents. The numbers are too large. We shall have to limit the numbers there. We have 6,000 members now, and we think we ought to stop at 6,000 members.

9616. Then as to the evening classes?—There are evening classes there too, but the evening classes that used to be held there were transferred to the college.

9617. I was going to ask you whether the mechanics' institute did not serve in any way as a feeder to the college?—The continuation schools are becoming the best feeders to the college. We do not care very much about the elementary work. The college takes up the work where the evening classes leave off.

9618. The old evening classes went bodily over?—They did, sir.

9619. The buildings of the college contain a museum, and they are also attached to the free public library?—Yes; and there are rooms for students to study in of an evening who have not conveniences at home.

9620. Have you any special Act about the free public library, or is it worked under the general Public Libraries Act?—It is worked under the Public Libraries Act, but we do not work it at 1*d.* The reason of that is that we built the buildings under the Act of 1874, and they became part of the debt of the town, so the penny absolutely goes free of the buildings for the purpose of the annual expenditure of the library. We also spend ½*d.* out of the gas proceeds, which we can devote as we like for the good of the inhabitants, in addition to that penny.

9621. And the school of art? Is that locally connected?—It has been taken over. It was supported by voluntary contributions and managed by a voluntary committee, but they were for some years in difficulties, and they approached us and asked us if we would take it over. Following the example of Birmingham we took it over.

9622. That was in relation with South Kensington?—In relation with South Kensington. Of course the school of art is very important in a town like Nottingham, where lace is one of the industries by which we live.

9623. That was one of the earliest schools of art?—I believe it was one of the earliest, and one of the best for obtaining gold medals and things of that kind. Under municipal management it has much increased. We are obliged to open branch schools.

9624. Your lace manufactures make it desirable that you should have a school of art?—It is desirable to create designers. At one time all our designers were French people, but now they are not so much so,

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9625 Sir Samuel, we now come to the markets. You have an officer called the clerk of the markets?—Yes sir, the clerk of the markets. He has the entire superintendence of the markets with a staff under him.

9626. He controls the collection of the tolls?—Yes. The great market-place is a sort of wholesale market in the early hours of the day, and retail market afterwards. It is becoming a growing, a very growing, market, the wholesale market in Nottingham. It is becoming a centre of distribution as far round as Derby, and Mansfield, and Newark.

9627. What is sold there?—Vegetable products and fruits and that sort of thing; principally fish and vegetable products. It used to be a place where you could obtain everything you would require from your birth to your death, including a second-hand coffin; but we are trying to weed out some things and to keep it more for what we think it ought to be established for, namely, products that are perishable.

9628. And you make an income out of it?—We make an income out of it of about 3,000*l.* a year.

9629. That is the net income?—That is the net income—yes. We do not look to make much income out of markets, because we should rather reduce the tolls or give facilities in the markets. We think the markets are among those things that help to keep down the price of food, so we do not charge heavy tolls.

9630. It would be an indirect mode of taxation if you did?—Yes.

9631. (*Lord Farrer.*) You have entire control of the markets?—Yes, my lord, entire control.

9632. There are no other markets except yours?—There are no other markets except ours.

9633. (*Chairman.*) The clerk of the markets has the inspection of weights and measures?—Yes, the public weighing machines and weights and measures are in the hands of the town council to manage.

9634. Did you have that power by the Act of 1888?—We had the power long before.

9635. Then we get to the important matter of police and the chief constable. The watch committee is the committee connected with the administration of the police?—Yes. The watch committee have the entire control over the police. If they wished to add to the strength of the police they would have to present a report to the town council: and if that were done, in the beginning of the year they would present a report the same as any other committee would, and it is put into the budget. If they do not exceed the expenditure during the year there is nothing said to them about it. They give what wages they think it right to the police, make such arrangements for comfort and convenience in carrying out the service and the maintenance of order as they think necessary. They pay the expenses of soldiers when it is necessary to bring soldiers into the town, as on a recent occasion.

9636. They did that through the mayor, I presume?—First of all comes the mayor. I do not know who would pay the expenses if the watch committee did not.

9637. But the watch committee themselves would have no authority to communicate with the military authorities and summon soldiers?—No. The magistrates would have the right to summon the soldiers, but the magistrates communicate with the watch committee, because the magistrates have no funds out of which to pay the expenses. There is another illustration. The magistrates are the visiting justices of the prison, and they have to drive to the prison every time they go there and hire a conveyance, and unless they pay the cost out of their own pockets they must appeal to the watch committee to pay the expense.

9638. (*Mr. Smith.*) In practice it is paid through the watch committee's account?—In practice it is paid through the watch committee's account.

9639. (*Lord Farrer.*) Supposing there is a disturbance in Nottingham, what is the exact course of proceeding. Does the chief constable report to the watch committee?—The chief constable reports to the chairman of the watch committee; and he would also report to the mayor. The mayor would probably call the magistrates together immediately, and they would appoint a certain number of their own number, and the watch committee would appoint a certain number of their own number. Those two would act as a joint committee afterwards. That is our course. The joint committee of the watch committee and the magistrates would decide what is to be done.

9640. (*Chairman.*) Is that a joint committee of long standing?—That is appointed when the emergency arises.

9641. (*Lord Farrer.*) There is not any delay at all?—There is no delay at all.

9642. (*Mr. Smith.*) That is rather done, is it not, because under the Municipal Corporations Act the police are under the control of the magistrates and the watch committee, and it is to avoid friction?—It is to avoid friction; that is so, and also because the magistrates have no funds at their control out of which they can pay for anything.

9643. For instance, technically, any two magistrates may dismiss a constable, including even your chief constable?—Yes, for neglect of duty.

9644. Well, without giving any reasons the magistrates may dismiss the chief constable?—Yes.

9645. But such a power is never exercised?—Such a power is never exercised. He would be reappointed at the next meeting of the watch committee, no doubt.

9646. He would, no doubt, but there would be friction. The Act is rather curious in giving the two bodies control?—Yes, we tried in 1882 to get that clause omitted from the Act, but it was considered that as it was a consolidation Act it could not be omitted.

9647. It was a sort of compromise. The Act of 1835 was passed when Government had great fears as to giving a municipality the control of the police.

9648. (*Chairman.*) Common sense has solved it?—Yes.

9649. (*Lord Farrer.*) And practically any question would be solved by each body acting through the chief constable?—That is not a standing committee. It is only in case of riot or difficulty—in case any riot occurs. The very last time we had a riot in Nottingham was at a parliamentary election. There were 10,000, 15,000, or 16,000 people in the market-place in a riotous condition. In anticipation of that the magistrates met and appointed five of their number and the watch committee appointed five of their number, and those 10 were empowered to do exactly what they liked for the suppression of the riot. For instance, we broke 100 heads that night.

9650. (*Chairman.*) The lambs were unusually furious?—The magistrates gave an order to clear the market-place.

9651. (*Lord Farrer.*) The orders in that case would go through the chief constable?—The chief constable had the order to clear the market-place, and in doing so we broke 100 heads.

9652. (*Mr. Smith.*) You do not suggest that 50 were broken by the magistrates and 50 by the watch committee?—Oh, no. Afterwards we had to bear the brunt of an inquiry, and the watch committee had an inquiry to save Government interference. Of course when 100 heads are broken people will not have their heads broken without making some disturbance about it. The watch committee appointed a committee of inspection. We had an inquiry, and employed Mr. Smith, who is now a stipendiary magistrate, to conduct it. The magistrates had no funds to pay for it, so we paid for it. We employed counsel and paid the whole thing, and paid all the witnesses attending. Sixty writs were served on the mayor, but not one of them went beyond service. The whole matter was cleared up. We settled with everybody, and the whole thing quieted down in about three months.

9652*a*. (*Lord Farrer.*) In that case the inquiry would be whether this joint committee of the watch committee and the magistrates acted judiciously or not?—Yes, whether they had the right to issue the order to clear the market-place. Then the question was did the chief constable take the proper steps to carry out that order. That was the most important part of the inquiry. Of course there is no doubt about the magistrates having the power, the magistrates were perfectly justified in ordering the market-place to be cleared.

9653. (*Chairman.*) If the chief constable were dismissed by the magistrates he would be re-appointed by the watch committee?—If dismissed improperly, as I understand.

9654. Does the watch committee appoint the chief constable?—The watch committee would report to the town council and recommend someone to be appointed.

9655. Do they select one man, as in other cases, and nominate him?—They select one man; I am not sure whether they go to the extent of appointing him. The chief constable, myself, the borough engineer, and the accountant are all absolutely appointed by the town council.

9656. Recommend only?—Recommend only; they recommend so and so.

9657. They recommend only one man?—They recommend only one man; that is all, only one man.

9658. (*Lord Farrer.*) Supposing it were a matter that required secrecy that was in the hands of the police, such as for instance as they had at Birmingham, the detection of dangerous explosives; how would that be managed?—The watch committee know nothing of anything except what is reported to them by the chief constable.

9659. And in that case would he consult with the chairman of the watch committee?—In that case he would consult with the chairman of the watch committee if he thought it prudent so to do, or he might consult with me. There are some things on which he consults with me, and we do not let the chairman of the watch committee know; we consider it unfair to let it go further than ourselves, that is where it may be a matter reflecting on the personal character of an individual and the imputation of such terrible crimes that the whisper of them would be the ruin of a man, then we do not allow it to go beyond our own selves.

9660. Or a question connected with the public peace which it may be important to keep secret?—Certainly.

9661. (*Mr. Smith.*) The chief constable would be perfectly justified in not consulting you on some matters, but locking them in his own breast?—Yes.

9662. I daresay you would not care about sharing the responsibility?—Only when he wants advice.

9663. Oh, if he wants advice he would come to you, but he would not come gossiping?—Oh no, certainly not, he would come to seek advice seriously.

9664. He has the responsibility and the watch committee act upon that?—He is responsible and they hold him to it.

9665. (*Chairman.*) Although the chief constable can dismiss a constable, there is an appeal I suppose?—To every committee there is an appeal. In the works and ways department the lowest workman can have an appeal to the committee; they are rare. I do not remember one instance in the works and ways department.

9666. (*Lord Farrer.*) And an appeal from the chief constable if he dismissed him improperly would lie to the watch committee, and from the watch committee to the council?—There would be an appeal from the watch committee to the council if anyone could be prevailed upon to take up the question and bring in before the council, but the council would not listen to anything trivial of that sort.

9667. (*Mr. Smith.*) It would be impossible for the chief constable to go on if it were urged any further?—Yes, exactly.

9668. (*Mr. Holt.*) The chief constable does not report everything that happens in the constabulary, or questions of disobedience and dismissal?—No, there is a punishment book laid upon the table at the meeting of the watch committee, and that the chairman looks down and signs. He does not even read it aloud, he perhaps may call the attention of the chief constable to it if a man has been fined for drunkenness three times and ask why he was not dismissed instead of being fined. It is not made a matter of discussion on the watch committee.

9669. (*Mr. Smith.*) Otherwise the watch committee confine their attention mainly to the pay and clothing of the police?—Mainly to the pay and clothing of the police, and looking after licenses; there are a great many things that they have to do, but they do not interfere with the internal discipline of the police.

9670. (*Lord Farrer.*) Do they interfere with the arrangements in the streets; is that a part of their business?—That is not their business, the beats are arranged entirely by the chief constable to the satisfaction of the Government Inspector.

9671. Supposing at an election a crowd or anything of that sort became riotous, it rests with the chief constable?—It rests with the chief constable entirely.

9672. (*Chairman.*) Was the question of the unity of the police throughout your new borough area an important consideration in the extension of the borough?—I think the outlying districts were very glad to get under the borough police and away from the county police.

9673. (*Lord Farrer.*) As being more efficient?—I think there are more officers, and it is more a home force. The county force at that time was exclusively managed by the magistrates, who were not a representative body, and the police in the town are managed by a representative body, and a representative body to whom anyone can complain if a man misbehaves himself.

9674. (*Chairman.*) Moreover, it would be felt that having one body of police instead of two, however well managed, was an advantage within an area that was so completely one area in sympathy and feeling?—Certainly; it became rather stupid; it would cost a man 5*s*. to get drunk on one side of the street, and he could not get drunk for less than 10*s*. on the other side.

9675. (*Mr. Smith.*) Was that put forward as an advantage of borough extension?—No, no.

9676. (*Lord Farrer.*) Which was the most advantageous?—Oh, the county was the easiest place to get drunk in.

9677. (*Chairman.*) Have you any view as to the extent of area that can be efficiently controlled by a borough police?—I should say any area that lay within reasonable watersheds and drainage areas. I think water supply and drainage and commercial unity should form an area which ought to be governed by one central authority, acting of course in very large bodies with dependent bodies taking particular parts of the district and particular portions of the work.

9678. You might carry your mind to a place which, no doubt, you are well acquainted with. Apart from other considerations, do you think on the point of police administration it would be well that Manchester and Salford should be one borough?—Yes, certainly. It strikes me as rather an anomaly that they have not already amalgamated their forces.

9679. I am directing your attention solely to the police. It would be desirable to have one police for those two boroughs?—Certainly, sir. The stringency or non-stringency of the way in which the laws are administered, byelaws and these kind of things must be different under one man to what it is under another. Then there is the question of public-houses and the enforcing of the licensing laws. All these things must vary somewhat under two different minds.

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9680. Have you any feeling that as a population extends and a wider area becomes covered with people the difficulty of municipal administration increases, and it is desirable to break up that area into portions?—I think, sir, as a population grows round a municipality there should be some machinery by which they could be slowly incorporated into the municipality, and the municipality ought to go after the population.

9681. Two or three days ago a great authority in municipal affairs said that he was afraid that Birmingham was getting too big for efficient supervision; have you any fear of that kind?—Not the slightest, sir.

9682. If Birmingham were twice the size you would not recommend two Birminghams side by side?—Certainly not. If it came to that they could delegate a portion of the work to district councils or vestries, or whatever they might be called, and leave works necessary to be looked at from the standpoint of the whole unity to emanate from the hands of the chief governing body. Sub-governing bodies could work under such a body well, and, I think, with advantage.

9683. And the unity of administration is of extreme importance?—I think so, sir,—the unity of administration is most important; that is my view of it.

9684. Now about your gas works and supply of gas. How do you control your gas works?—The gas is managed by a committee of the town council. The committee appoint a manager and engineer who take care of all the works. The accounts are all collected and brought into another department, called the accountant's department, so that those two departments are checks one against the other, and we have never had any difficulty arising out of our gas management.

9685. You have special statutory provisions as to your gas and the gas debt?—We have, sir. If we make gas profits in a year, we have the right to use them in such way as we think best for the general good of the inhabitants at large; something like the clause which perhaps you recollect was in the Act of 1835 with regard to a surplus on the borough fund.

9686. You are under no obligation to reduce your price?—No, sir. We are under no obligation to reduce our price. We have a maximum price, beyond which we cannot go, but we have never been anywhere near the maximum price. Since the gas has been in the hands of the town council it has been enormously reduced in price.

9687. (*Lord Farrer.*) What is the charge now for it, per thousand feet?—I think it is 2*s.* 1*d.* per thousand feet.

9688. But within the maximum charge you might have got it up to any rate you like, it would be a matter for the corporation to determine, a question of policy, whether they should levy that income?—Yes.

9689. (*Mr. Smith.*) What is your maximum?—I cannot say.

9690. Is it about 4*s.*?—It is more than that. We keep the price of gas down as low as we can. It is important to have the gas cheap, as it is very much used in manufactures; it would put our manufacturers in an unfair position compared with other towns unless we could give them cheap gas. We keep our gas down to as low a point as we can. We take 2½ per cent. on the capital invested as being a fair return for the money invested in gas. The ratepayers and the gas consumers are not the same people. We extend so many miles into the country, and the country people all round that consume our gas are not ratepayers.

9691. (*Chairman.*) 2½ per cent. on the capital invested?—Yes, that is about it.

9692. That is capital redeemed?—The capital is being slowly redeemed; its repayment is spread over 60 years.

9693. The amount you call the capital invested is the capital redeemed?—I mean the cost of the works, the capital we invested in the purchase of the undertaking.

9694. But you have to pay more than 2½ per cent. on your gas debt?—Yes, we have to pay 3½ per cent., but we are content to appropriate a portion of the profits towards the relief of the rates or other expenditure which would not fall upon the rates, amounting to about 2½ per cent. on the capital invested.

9695. After paying 3½ per cent. on your gas debt?—After paying 3½ per cent. on our gas debt.

9696. It amounts to 6 per cent. on that capital, that is unredeemed debt?—Yes, and the old company paid 6½ per cent., so that we still have an advantage of ½ per cent., and we manage the gasworks with advantage to the ratepayers.

9697. (*Lord Farrer.*) What provisions have you to secure the quality of the gas?—There are the public provisions by which persons can be appointed.

9698.—But do you appoint; it is your duty to provide good gas, what steps do you take yourselves for the purpose?—There are immense precautions taken at every gas station. All the gas that goes out is carefully tested by independent officials—chemists who are appointed for the purpose, and there are self-recording results.

9699. These chemists are the independent officers who act as a check upon the gas producer?—Upon the gas producer?—We have this system at all our stations.

9700. (*Chairman.*) How long have you had your gas under your control?—Since 1874, I think.

9701. Twenty years?—Yes.

9702. Have you ever had a difficulty with your workmen?—We had a difficulty (but that we overcame) about four or five years ago, when the great trouble was in London. Our workmen came to us, and we settled with them on terms, and we have never had any trouble with them since.

9703. (*Lord Farrer.*) Do they belong to the Gas Stokers' Union?—I think some of them do; we do not inquire into that. We do not allow them to put up notices belonging to the Gas Stokers' Union except in certain parts of the works. The other day 200 men left some union—they left in a body. I do not know whether it was the Gas Stokers' Union or not. There was a charge made against the superintendent of those works that he had put pressure on them to leave, but it was the work of the men themselves; they seceded in a body.

9704. Has your corporation passed a standing order about wages?—Yes, certainly.

9705. When was that done?—About four years ago, I think.

9706. Enforcing trade union rates?—No, we do not say anything about trade union rates; it comes, perhaps, to the same thing, but we say that all persons who take contracts with us will have to pay the standard rate of wages, and not employ sweaters.

9707. And you apply that in your own gasworks?—And we apply that to our own gasworks and to every contractor. We have found no particular friction in the working of the rule, but what happens was illustrated the other day; a complaint was made to us that a plumber that we employed was not paying the standard rate of wages. That was sent on at once to the manager of the works to see what was in it; he inquired into it, and he found one particular man was not being paid the standard rate of wages, but that the employer was keeping him on out of charity. After discussion it was thought proper to let that go as an exception to the general rule; no more notice was taken of it.

9708. They allowed the man to be retained?—They allowed the man to be retained, I believe.

9709. (*Lord Farrer.*) A man who was not worth the standard rate of wages?—Probably not, my lord; for some reason the master was keeping him on.

9710. (*Chairman.*) Your gas works extend in their operation very much beyond the area of your borough?—Yes, sir, the borough is only 13 square

miles, and these extend to 133 square miles; it is rather a preposterous area.

9711. (*Lord Farrer.*) Do you supply outside at the same rate as inside?—Inside and outside at the same rate.

9712. (*Chairman.*) Have you contracts with public authorities outside?—Yes, we have them with some urban sanitary authorities, and I think we have a contract with the Arnold Local Board.

9713. You must have had such things before your borough was extended?—Before our borough was extended; yes, we had.

9714. (*Lord Farrer.*) Are you under an obligation to supply this district?—Oh, yes, my lord, we are under obligations to supply under certain conditions of remuneration. No one could force us to supply gas unless we saw that we could get such and such a return for it; but a very common thing for us (when there is an application for gas by half a dozen people, for a church or a chapel or a factory) to ask for some extra remuneration on the outlay—5 per cent. perhaps besides the price of gas—until the neighbourhood grows, and then we give up the agreement for the extra percentage.

9715. (*Mr. Smith.*) When it becomes otherwise remunerative?—When it becomes otherwise remunerative.

9716. (*Chairman.*) You inherited the obligations of the gas company?—We did.

9717. They extended far beyond the area of your borough?—They did and would have extended anywhere; instead of reducing the price of gas they extended the area to unprofitable places.

9718. (*Lord Farrer.*) You have not introduced the electric light, have you?—Well, we are introducing it now; it took us the best part of two or three years to enquire into the question.

9719. You are doing it yourselves, are you?—We are doing it ourselves; we are building our own works now.

9720. (*Chairman.*) Your water supply is under your control also?—Under our control also.

9721. Is there a separate committee for that?—A separate committee, a separate engineer, a separate manager; the lines are very much followed there as are followed with regard to the gas as far as the management is concerned, and the paying of accounts is concerned.

9722. That also runs outside your area?—It does, but notwithstanding that we do not look to make any profit out of the water. We think water such a prime requisite of life that we ought to supply it at very nearly prime cost.

9723. (*Lord Farrer.*) Have you lost by it?—We have not lost by it at the present time; we had to pay a very heavy price for it, it was 5 per cent. stock and we had to pay 7 per cent. before we could get it out of the hands of the company.

9724. (*Chairman.*) When did you acquire that?—Ten years ago it must be.

9725. Have you got large reserves and power?—We have not very much; we had to abandon one important water supply since we bought the undertaking; it was a dangerous water, it was not bad, but it was a dangerous water, because there was previous sewage contamination.

9726. (*Mr. Smith.*) A river?—No, it was a well, and we had to abandon it. In consequence of the colliery operations all round us our water is very much threatened, and in some of our wells we shall probably have to go to some other places.

9727. (*Chairman.*) Do you get any of your supply from the Trent?—Not now; the Trent used to be our principal supply, but that has been abandoned many years ago.

9728. Where do you get it from?—Wells, six or seven miles from the town in the rocks of the red sandstone.

9729. (*Mr. Smith.*) Do you find that water getting harder?—The water from the older wells gets much harder, and if we go for a new supply we shall go to a river. At one time we thought so little of the sheriff that in 1874 we thought of abolishing the office altogether, and conferring the powers on the mayor, but since then it has proved to be a most valuable adjunct to the office of the mayor; he shares with the mayor a great deal of the work of the town outside the municipal work. For instance the mayor in a town like Nottingham is expected to take the chair at all sorts of meetings, he is also expected to entertain royalty. The other day when the Duke of Cambridge came to Nottingham, he was expected to receive and entertain him; he is also expected to receive and entertain any distinguished stranger who comes to the town, and he is expected to show some sort of hospitality; he is also expected to entertain deputations on all sorts of things, and the sheriff comes to his relief.

9730. (*Mr. Smith.*) For sheriff you read understudy?—He comes to his relief; he takes the chair at meetings which it is hardly sufficiently dignified, perhaps, for the mayor to go to; the mayor gives a ball, and the sheriff gives a ball to children. We find plenty of people ready to take the office and to find the money. We do not find the money for either office except the under sheriff's bill of cravings; we pay that.

9731. You find no money for either office?—We find no money for either office.

9732. (*Chairman.*) Is the sheriff elected out of the council?—He is elected usually from the council.

9733. Out of the council?—Now he is elected from the council; he has been so elected for the last ten years.

9734. (*Lord Farrer.*) All hospitalities are paid for by the sheriff and the mayor out of their own private purse?—Out of their own private purse. The mayor spends in his year of office about 1,000*l.*, and some mayors spend 2,000*l.*; some mayors spend more than that; the sheriff has to spend 500*l.*, but some sheriffs spend as much as 1,000*l.*

2735. (*Mr. Smith.*) While on this question of sheriff, the office of sheriff is about the only relic that you have of what you call your county jurisdiction, is it not?—And the lord lieutenant.

9736. And the lord lieutenant?—Yes.

9737. In the case of a great city or a great town, which is also a county, the county almost merges in the city, does it not?—It does.

9738. That is what we have heard a great deal of in London, and I have been trying to bring it out, that you sink practically that county jurisdiction in your city jurisdiction?—Yes, we do; we do not know the difference between the one and the other. We are a good illustration of an old village community, surrounded by a large common, and people lived in the rocks about Nottingham. The old Saxons, who were not disturbed by the Romans, occupied the lands all round as common lands, and they became a class of freemen, and they would not let anybody else in; they became exclusive and conservative, and kept the other persons out. They made people pay fines to come into the town and carry on trade; they seized the lands and apportioned them among themselves, turned out their cattle, and made them lammas lands. The whole thing in this way grew into a particular defined boundary; they got out of the kings what they could by way of charter, and from Henry II. they obtained a charter creating these lands into a county. The county is now merged in the city.

9739. We have heard a good deal in the course of this enquiry of the county of the City of London, and the county of London. The county of London is of course a comparative new creation, being parts of Middlesex, Kent, and Surrey, I think?—Yes.

9740. But the county of the City of London is a thing one must talk of with great respect, but you would say as representing a town and county where the borders are coterminous, the county may fairly be taken to be merged in the city?—Certainly it would make no difference to us, though we were

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called the borough. In some proceedings we are called the borough and in some proceedings the county of the town. At the assizes in captions we are called the town and county of the town of Nottingham, but if we put the borough it would be the same thing.

9741. (*Lord Farrer.*) By degrees the borough has obtained its own jurisdiction, independent of the outside county?—Quite so.

9742. And in your case, and in other cases, it has appropriated to itself the characteristics of a county as well as of a town?—Yes, my lord, that is so. You see the difference is this: that no sheriff's officer having county authority can come into Nottingham.

9743. You have practical immunity in the county of Notts—in Nottingham?—No one has a right to come into our town to do a single act of any kind; we do all our business from top to bottom without the assistance of the county or its officers.

9744. Except that the county does its business in your town?—Except that the county does its business in our town; topographically the county hall is situated in the borough. A very curious question arose whether an election petition could be heard in the county hall, and no one knew exactly where the limits of the old county wholly extended to, only Mr. Patchett, and he had been dead some time. It was found out that the judge was actually sitting just within the town, and the whole of the rest of the court was in the county, so it happened to be perfectly legal as it turned out.

9745. (*Mr. Smith.*) You do not think you have derived any acquisition of dignity or strength by being made a county borough?—No, but it is something for us to say that the county sheriff cannot come into us with his processes.

9746. I admit your superiority, and you have a *custos rotulorum*, I suppose?—Oh, yes.

9747. Who is he, the Lord Lieutenant?—He is the Lord Lieutenant, yes, but the Lord Lieutenant's office is absolutely a sinecure, in that way; he has not a single thing to do with regard to us, and the only time I have had intercourse with the Lord Lieutenant was in regard to a point when royalty came to the town, the question of precedence between him and the high sheriff for the county. We consider our own Lord Lieutenant has precedence over the high sheriff of the county.

9748. (*Chairman.*) Perhaps they allow your high sheriff to come?—We have perfect accord.

9749. He is an outsider within then?—Yes.

9750. (*Lord Farrer.*) Have your quarter sessions in the borough power to grant new licenses for public-houses?—New licenses, I think, our magistrates grant; the appeal from them is an appeal to the quarter sessions outside.

9751. There is an appeal to them?—There is an appeal from us to them, as I believe the word "county" in that particular section of the Act of Parliament is interpreted not to mean the county of a city, the county of a town.

9752. There is just that remnant of the old jurisdiction?—It was created by the Licensing Acts themselves; it is not a remnant of jurisdiction.

9753. The Licensing Acts gave a new jurisdiction to the county?—Yes.

9754. (*Mr. Smith.*) It was a piece of bad drafting that was?—Yes, absurd.

9755. Appeals from refusals to grant new licenses do go in county boroughs to quarter sessions?—They do in Liverpool.

9756. (*Chairman.*) That may be because it is not a county of itself, and has not a sheriff of its own?—The question has arisen before me very recently with the view of bringing it before the Municipal Corporations' Association.

9757. (*Mr. Smith.*) I have often tried to get the law altered?—I wrote to the secretary about it the other day, and he was rather of opinion that the appeal goes to the county.

9758. There is another case on the subject. I think to stop a road you would have to go to the county outside?—We should not, because we have a private Act of Parliament to give the council power.

9759. (*Chairman.*) Was Robin Hood's sheriff sheriff of the town or of the county?—I think he was sheriff of the county. Sherwood Forest was never within the precincts of the borough. We had two sheriffs in those days.

9760. In the town?—In the town we had two sheriffs in those days, two sheriffs and a mayor.

9761. When did the second one drop out of existence?—The second one dropped out of existence, I think, only when the Reform Act came in, in 1835.

9762. (*Mr. Smith.*) You are really very similar to the City of London?—Very similar; in fact, our charters recite that we are entitled to the insignia of office and other small matters of that kind as in the City of London.

9763. (*Chairman.*) Your parks and pauper lunatic asylums; is there anything special about them?—No, sir, they are ordinary kind of things, except that we go rather further than many people do in preparing parks for sports. We have never made any bye-laws about them, but there is a sort of unwritten law. We license clubs to occupy particular grounds for a particular afternoon, and we have police there to see that it is enforced, else there would be no sport for anybody.

9764. (*Mr. Smith.*) You preserve private cricket pitches I suppose?—Quite so.

9765. (*Chairman.*) Your garden allotments you might tell us something about as specially interesting?—Our garden allotments have grown up with us; it is 30 or 40 years since they began; in recent times we have very much enlarged them, and from time to time we lay out a portion of our estate in garden allotments. We have spent 500*l.* or 600*l.* a year in making the avenues and forming the gardens, and we let them out at about ¾*d.* a yard on the average.

9766. (*Lord Farrer.*) What does that give, at what rate per acre?—A penny a yard comes to 20*l.* a year about, so ¾*d.* comes to about 15*l.* an acre per annum.

9767. (*Chairman.*) I think they are older than you imagine, 30 or 40 years; they were flourishing when I first saw Nottingham, 40 years ago, and were well established?—Well, they were probably established more than a century since.

9768. (*Lord Farrer.*) Are they in the immediate neighbourhood of the town?—Some of them are quite in the town. It forms a little difficulty with us as to the time when those gardens ought to be used for building purposes, and other lands prepared for gardens. There is sometimes a little friction between our tenants and ourselves, but we have managed so far to settle it amicably with them.

9769. Have you large estates?—They bring in about 30,000*l.* a year gross. The greater portions of them are long leaseholds. Leases were granted a long time since, and are slowly failing in.

9770. Building land?—Building land. We had one lease under which we had been receiving 5*l.* a year for a very long period of years; it fell in about a month ago, and we let it by auction again at about 2,000*l.* a year.

9771. Are your estates all in the immediate neighbourhood of the town?—All quite within the town except one small estate; that is five or six miles from the town, a very unimportant portion of the estates. It was bought out of some money that had to be invested in real estate.

9772. Do the allotments bring in as much money to you as if you did not grant it in that way but let it as an ordinary person would?—Oh, more money than we could let them for agricultural purposes other than as allotments, but not as building land. They would probably bring in 4*d.* per yard as building land.

9773. The question I wanted to ask was whether you regarded the allotments as of such public value

that you keep them in the form of allotments although you might use them more profitably otherwise?—No, we keep them in the form of allottments because of the convenience it is to the public to have these gardens, the people are fond of gardens in Nottingham for rose-growing and so on.

9774. (*Chairman.*) There is a little friction that might develop?—There is a little friction when the time has arrived when the garden is too valuable to be used for that purpose and ought to be used for building land. We had to pay 1,600*l.* compensation to get out the tenants of some garden allotments.

9775. Smithfield would be a very convenient place for gardens for the citizens of the City, but you would scarcely justify their retention for that purpose at that rate?—No.

9776. (*Mr. Smith.*) The friction would never have been so acute if you had been able to extend your borough at an earlier period?—No, we should have had other lands, in fact the extension of the borough was an enormous development of the out-lying districts; land there became very much more valuable.

9777. (*Lord Farrer.*) Do you have allotments in different parts?—Oh, yes, in a great many different parts.

9778. (*Chairman.*) Is your sewage farm a success?—Yes, a very great success as a sewage farm, that is to say, we get a clear effluent, but we took the farm at a time before the agricultural depression came on, and we had to abide by the best terms we could with the landowners. We had to pay 5*l.* an acre for land that was letting at 30*s.* or 35*s.*; we could pay 30*s.* or 35*s.*; we could clear that, but the extra rent we cannot pay; that is a loss to the ratepayers. We have partly reduced that recently since the depression by buying of one of the landowners, Lord Manvers, 200 acres of land at a much less price than we gave for the other, and that sum reduced the average. At that time we took the very best advice we could get; the landowners wanted a very much larger sum for the land, and we thought we ought to have it for a very much less sum. We were about to go to arbitration as to price when we called in Mr. Huskisson, who was then a very well-known gentleman in our district. He had advised the Derby, Northampton, and Leicester people about their sewage farms. He strongly advised us to take the land at 5*l.* and not go to arbitration or probably we should have to pay more.

9779. Is that a perpetual lease?—That is a lease for 60 years. It pays us better to raise the money at 3½ per cent. and buy the land; it pays us to do that; we think it is a bad plan to lease, and we are buying freehold now. Besides the landlords still retain the right of shooting over the land. It has not created any friction at present, but it has threatened friction. Ours is a milk farm, and, with the exception of what we send to the lunatic asylum and to the workhouse, it all comes to London. It has been disposed of in London ever since we have had a sewage farm.

9780. (*Lord Farrer.*) What size is that sewage farm?—About 900 acres.

9781. (*Chairman.*) You have a recorder and a court of quarter sessions?—Yes, sir.

9782. Have you any civil court of any special character?—There is a civil court, a local civil court, of which I am the registrar, but it has not been used since the county courts came in. We let it fall into disuse. It had jurisdiction exceeding that of the county courts because we could try actions for breaches of promise of marriage and that sort of thing, but since the county courts came in we did not think it worth while. If we had extended our borough we should certainly have kept our court alive.

9783. Are the fees heavy?—I do not remember. I think I should have to invent a scale of fees if anybody came. I do not think I have one.

9784. You have not attempted to develop that court?—No; some of the profession have come to me to ask me that so popular a convenience to them should be re-opened; but I say unless they bring a mandamus to compel me to open the court I will not do it. There is some difficulty about the judge of the court, if there had been no difficulty about the judge of the court, the court would have been open some time since.

9785. (*Lord Farrer.*) What do you mean in the way of difficulty?—The recorder is the judge, or a deputy appointed by him.

9786. (*Mr. Smith.*) They had this very question raised at Worcester the other day?—Yes.

9787. They applied to the recorder to try a case, something less interesting than a breach of promise, as recorder and judge of the old civil court, which had been in abeyance, and he held that he should decline to exercise any jurisdiction except by mandamus?—Yes.

9788. And nothing more has been heard of it?—Yes. The recorder does not come down as often as the judge of a county court sits; therefore, unless there was someone sitting as often as a county court judge, it would not be any use to us.

9789. (*Chairman.*) Does your mayor take a considerable part in the judicial business of a magistrate?—He does some part, but the municipal requirements of his office are so great that he cannot take a very important part—he cannot take a very constant part.

9790. (*Lord Farrer.*) What part does the mayor take in the ordinary business of committees?—The mayor is *ex officio* a member of every committee, and now and then he attends a committee; if he thinks the matter is of any importance and he would like to be there he attends; but he is occupied so much with the ab-extra duties of his office, with the amenities of the office—every morning at 10 o'clock he has to sit at his private rooms, and he is occupied every morning for a couple of hours receiving and hearing what people have to say, and so forth.

9791. People who come to talk to him about municipal affairs?—They come to him to talk about everything, especially for subscriptions and that sort of thing, and the mayor of the town seems to be a sort of repository for everybody's grievances if they choose to come to him.

9792. He is often called upon to take the chair at public meetings?—He has scarcely a night at home to himself, every public meeting of any consequence he is asked to preside at.

9793. (*Chairman.*) On an average it costs him 1,000*l.* a year?—Quite that. The average is between 1,000*l.* and 2,000*l.* a year if you put in the subscriptions. There is not a football society that he is not called upon to support, or in addition to that to give some piece of plate to be contended for. Then he is called upon to give prizes to the schools and all sorts of things.

9794. I suppose he seldom or never goes on for more than one year?—Very seldom indeed, very seldom. I think myself it is a great pity that there is not some proper provision made for keeping up the dignity of the office by the community at large, because it shuts out a very large class of very competent people who could give the time to it, who have the education and every requirement excepting the fortune.

9795. So that a very poor man cannot take it?—A very poor professional man cannot take it.

9796. (*Mr. Smith.*) That is provided for by the statute; they can give a salary to the mayor?—Yes.

9797. (*Chairman.*) You regret that they do not take advantage of the Act?—It is a great tax on one man to serve the community for a year and put his hand in his own pocket, but the question with us has been decided. Some mayors say it would cost them more if they had an allowance, as they would be expected to spend the salary in addition to what they spend now.

9798. (*Mr. Smith.*) And every ratepayer would conceive that he had a personal claim; it might induce the mayor to go in for feasting.

9799. (*Lord Farrer.*) I have heard it said by a man of experience in London that directly a body of that description pays a person they no longer look upon him with the same respect; do you think that is so?—I think not; I do not think that can be so,

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my Lord, as far as my experience goes. I was mayor for a little time. I was paid. I do not know whether they looked upon me with any less respect. I declined the salary one year and I took it the next, I thought it was the right thing to do.

9800. You did not feel disposed to change the salary for the respect?—No.

9801. (*Mr. Smith.*) Probably what you lost in respect you gained in jealousy?

9802. (*Chairman.*) Do you know anything of the organisation of Nottingham before 1835?—Yes, I know something of it. We have published four volumes of our old records; we are slowly publishing them, but they are very costly things to publish. We have spent about 1,000*l.* for these four volumes. I had a particular clerk on my staff for it. Unfortunately the Government have robbed me of him, so we are standing still now. We have got it down to the reign of Henry VII. The government of the town before 1835 was entirely under charters. There were one or two private Acts of Parliament obtained by the freemen—water and gas Acts—and one or two things of that sort. But they were governed then by a corporation elected by the freemen, a portion of the community, and at that time they were governed very much I think as the City of London is governed to-day. They were just like unreformed corporations, and as I say very much like the City of London.

9803. Most unreformed corporations filled the vacancies in their own body by co-optation?—The freemen were called together in common hall, and they elected the common council, and they co-optated certain members. They had the control of the estates, but they did nothing then with regard to the welfare of the town, except control the estates and spend their income, and look after the election of members of Parliament. There was a Mickletorn jury which looked after a great many of the nuisances of the town. There were some extraordinary customs then. It was the duty of the mayor to have a bull and a bull-ring for the common service in the town. This Mickletorn jury used to regulate the price of bread and the number of herrings to be sold for a shilling, and a great number of curious things.

9804. And the assize of bread?—And the assize of bread.

9805. And food perhaps?—I think food too, but I should have to refresh my memory to see what they had to do. We may have a Mickletorn jury going about now every seven years, going about with axes and all sorts of things to cut down everything they find of a public obstruction. It is rather a rough and ready way of administering justice; we prefer to take the usual course before the magistrates now.

9806. You had a mayor and sheriffs; had you aldermen then?—Yes, there were aldermen; yes, sir, and commonalty.

9807. Aldermen and common councillors?—Common councillors, yes.

9808. And these were elected, where they?—They were elected by the freemen—a particular class of the whole of the inhabitants.

9809. I was going to ask you; you made a reference in the early part of your evidence to freemen. They exist still in some shape?—Freemen exist still, but they exist for two reasons now; first of all because they get burgess payments, which expire with the present race of freemen, and secondly because it gives them a Parliamentary franchise.

9810. Are there many survivors of the race of freemen?—I should think there are two thousand.

9811. But must all have been freemen at the time of the passing of the Act of 1835?—Oh, no sir, they continue—the son of a freeman continues to be entitled to be admitted a freeman, and the apprentice of a freeman after a certain number of years' service is entitled to be admtited a freeman. That will not apply much longer, because that only confers the Parliamentary franchise, and they will not care much about that.

9812. (*Lord Farrer.*) But how is it that the right of property ceases?—Six or seven years ago we brought in an Act of Parliament to transfer to the town council the whole of the freemen's estates.

9813. A private Act?—A private Act, and it transferred to the town council the whole of the freemen's estates on the condition that we agreed to pay annuities to all those who were made freemen up to a particular date, so that when these die out those estates fall into the hands of the town without any payments or any incumbrances whatever.

9814. That is a special arrangement? That is a special arrangement that we made.

9815. (*Chairman.*) Was that opposed?—It was opposed, and Lord Redesdale took a very strong objection to it. He took the unusual course of referring it to a committee of the whole House of Lords, a thing that he had never done before, and when he had referred it he did not know how it was to be worked out, but we had the Lord Chancellor on our side, and a lot of very good men with us. On condition that we gave some extra annuities to the freemen, Lord Redesdale gave way and let the Bill pass. We had no trouble in the Commons, excepting that Mr. Campbell, who was on our committee, objected that we had not complied with the Borough Funds Act, and we had not, and the House excused us, and so the Bill passed, and it has worked a very great deal of good ever since.

9816. (*Chairman.*) In the near future freemen will only be certain persons who have got a parliamentary franchise?—That is all, sir. I do not suppose they will care for that then. The list of freemen is very extensively starred, that is to say, they have other qualifications.

9817. That is not very important now that the franchise is so easily got by other means?—No.

9818. Have you any freemen's charities?—There are some almshouses to which freemen alone can be appointed, but they are not endowed almshouses, and therefore they are not very much sought after. The endowed almhouses are much more sought after.

9819. Those are by special trusts?—Those are by special trusts created in modern times.

9820. I see there was a point, to go back to it, on your garden allotments, about tenant-right, which you may tell us something upon?—We have agreed to certain terms with the tenants upon which they shall give up—I do not remember quite those terms now, sir.

9821. It is a tenants' improvement compensation?—That is what it is—a tenants' improvement compensation.

9822. Nothing more?—Nothing more.

9823. That is a provision to pay for any greenhouses or things of that sort?—That is a voluntary arrangement between us and our tenants.

9824. You have adopted a scale so that friction should not arise between you?—Yes, we have adopted a scale if ever we want to use it.

9825. You have a coroner as well as the sheriff?—Yes, sir, we have the usual coroner appointed by the town council. He holds inquests within the borough; we find him inquest rooms and mortuaries.

9826. (*Mr. Smith.*) Is he paid by fees or salary?—He is paid by salary.

9827. I had it on my notes to ask you, Sir Samuel, what was your opinion of a suggestion that a person called a deputy chairman should be chief of the staff in London, say in the event of the amalgamation of the City and the London County Council. That would be an elected representative?—My own idea is that that would not work well; such an officer would be a paid deputy chairman.

9828. Yes?—He is in office for three years, or he is in for his period of election; he is of course put in by the majority.

9829. Yes?—And it seems to me that he is scarcely in an independent position; he has not the independent position of a town clerk, who is in, of course, during good behaviour; and the town clerk is certainly regarded

and treated always by corporations as being in a very independent position; he allies himself with no party whatever. I cannot help thinking that a paid deputy chairman must be looking to the future election by his constituents. He can be appointed, I believe, from outside the council; if not, he would have to look to re-election by his constituents, and he always would have to consider his position. It would not be so independent; he would have to consider that position as to re-election at the end of three years, I do not quite know what he would do. I suppose his object would be to become fairly acquainted with all business of the town council, so that he might advise committees.

9830. (*Lord Farrer.*) Well, his position, and the principal part of the duty of his position, is to be at the head of the whole staff; he is so in the London Council, you know, so that every question concerning the staff, and coming from the staff, goes through him?—I do not quite understand.

9831. I mean that does not lead you to alter your position?—Well, so far as the head of every department is concerned, he has a right of appeal straight to his own committee, with regard to himself and his staff; but usually they come to the town clerk, and say, "I want this altered, or the other altered," and I give an opinion, and say, "I think you will probably "be quite right to do that, and appeal to the com- "mittee at their next meeting," and then they appeal.

9832. Are you head of the whole staff?—Oh, yes.

9833. Can you give directions to the staff. I do not mean, of course, contrary to any rules of the council, or of the committee?—They receive all their major directions through me in copies of minutes.

9834. They do?—Every major direction comes through me as I have already explained.

9835. That is skipping over another officer; but do directions all come from you?—Only to my own immediate staff, which is comparatively small; the large staff is the staff which is occupied in the accountant's office, or in the engineer's office, or in the medical officer of health's office, and the gas and water departments.

9836. I will put it comparing it with the case of a public department. When I was Permanent Secretary of the Board of Trade, the whole of the staff were under me. I do not mean to say that I interfered with the duties of every one of them, but I was the officer that stood between them and the political chiefs, you know, and everything that went to the political chiefs would naturally come through me. I do not mean to say that the political chiefs did not see them, but I was the head of the staff. Does the town clerk occupy that position?—He occupies very much that position, but he does not occupy it so exclusively that unimportant matters cannot be mentioned to committees by heads of departments. If there is any business coming on of any importance before the committee, the chief would see the town clerk, and go through the business with him first of all, so that he should be prepared to advise the committee of the questions that might arise; but matter of routine would not come before me.

9837. If there was a question of misconduct of any officer of the staff?—That would certainly come before me.

9838. That would come before you?—Certainly.

9839. And the committee would not dismiss him without consulting you?—Oh, no, certainly not.

9840. Would not recommend his dismissal without consulting you?—No, certainly not; I am present at the committee and advise.

9841. Are you consulted about promotions?—I am not always consulted; but the committees look to me very much, and if I were to give an expression of opinion against a man's rise of salary, I do not think he would have any hope of getting it. I am silent if there is nothing against it; if I thought it a wrong thing to do, I would speak about it; then the man would not have a chance.

9842. If it were a question of A or B being the proper person to be promoted, would you be consulted about that?—Yes, and after examining both candidates, the committee might turn to me and say, "Now, Mr. Town Clerk, what do you think about this?" They are not bound to follow my advice.

9843. (*Mr. Smith.*) Would they represent a matter of that kind to you; not one of your own staff, but one of the staff of the public health committee, or something of that kind?—Suppose it were the engineer's department, and a man about whom I knew nothing whatever; or some man in the building surveyor's department, whom I did not even know, they might ask me generally, "Well, what do you think about this; shall we let this man go, or had we not better increase his salary?" "Well," I would say, "I think "it is a matter upon which the borough engineer's "opinion should be taken." They call him in.

9844. (*Lord Farrer.*) Would you consult with the borough engineer about that?—Yes, he would come to me and say, "I have got somebody in my office "now," a case occurred not very long ago, a fortnight ago, "this man, if he does not get an increase "of salary, will go." I said, "Do you value him "very much?" and we talked it over in general terms. "If you value him very much," I said, "I "will go to the chairman of the committee and try "to get him an addition of salary." You cannot carry that down the list very far.

9844*a*. Every head of a staff must take some responsibility?—It is only with regard to the principal persons of the staff.

9845. That you can have a personal opinion of?—That I can have a personal opinion of.

9846. Suppose it were a question of the dismissal or promotion of an inferior clerk, and there was any question about it, would the head of that department consult you?—He would probably come and consult me about it. A man came the other day, and said, "I have a clerk that I do not know what in the "world to do with; he is this, that, and the other." He comes to me for advice. I have no authority whatever, only to offer advice.

9847. Taking all that (and that forms a very large part of the business of the deputy-chairman of the London County Council) your experience would lead you to think that that business would better be done by a permanent salaried officer than by a member of the council paid a salary by the council?—I should think so. I think the business is better done by the chairman of every committee, and the position of the chairman of a committee is somewhat lessened in importance, if some one else can come and take his work away from him.

9848. (*Mr. Smith.*) An elected person; if that person be an elected person?—If he be an elected person; I do not tread upon anybody's corns in that way; as town clerk I am civil to everybody.

9849. (*Lord Farrer.*) You are more independent of the council, not being one of them?—I take no part. I have a right of audience; I claim that at town council meetings.

9850. Have you a right to speak?—I have a right of audience; that is our ancient right.

9851. What does that mean?—A right to speak; a right to be heard.

9852. If there is anything of importance?—If there is anything of importance I have a right to be heard.

9853. In full council?—In full council. It is not exercised once in a year hardly, but if I find someone grievously misleading the council as to a fact, it is my duty not to let the council come to a conclusion upon a false statement of facts; but what we do is to give our chairmen of committees (who are very hardworking men and give a lot of time to their work) whatever little dignity may be attached to their having control of their respective staffs. They would very much resent that being taken away by a deputy chairman

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of the council. I do not, of course, interfere with that.

9854. (*Mr. Smith.*) That brings me to a question. You said that the major directions, I think, went to the heads of the staff from you, but I presume that is only in consequence of a resolution of the committee?—Quite so.

9855. You are merely the conduit pipe through which they go?—I am merely the conduit pipe through which they go.

9856. You do not of your own motion give directions?—Certainly not, unless it were a serious matter arising, buildings falling, or anything of that sort.

9857. You do not consider that as town clerk you have any right to give personal directions to the chief of police?—Certainly not.

9858. Or to the medical officer of health?—Certainly not.

9859. Or to the city surveyor?—Certainly not.

9860. I think you are quite right; I do not consider myself in any way their superior; they are responsible to the chairman of their own committees?—Certainly.

9861. (*Lord Farrer.*) You are a sort of centre?—A sort of centre. All the officials come into my office as it were, and I know, therefore, pretty much what is going on in every department; I have a general ready knowledge of all that is going on throughout the whole municipality so far as the government of the town is concerned.

9862. (*Mr. Smith.*) I am a little surprised that you have so much to do with promotions of staff outside your own department?—In both the gas and water departments the chairmen tell me what they are going to do, or suggest what the committee is to do. I do not think I should care if I were not consulted.

9863. Promotions in the department?—There were two illustrations in which the salary was raised 100*l.* a year. The first was the chief accountant of the gas department. The vice-chairman came and saw me about it, and talked it over with me; in fact, I pressed it on his notice as an advance that ought to be made.

9864. Perhaps that was the origin of his talking it over?—Yes, he talked it over; and also an advance of 100*l.* a year to the engineer. I always attend all meetings of the gas committee.

9865. So do I; but I should not feel myself slighted if I were not consulted about the salary of the gas secretary?—No; but I am sure the chairman of our gas committee would not think of dealing with the salaries of the principal officers without speaking to me. I think that would be his invariable practice.

9866. There is just one word I wanted to ask you; if you can give the answer I expect it would rather emphasize your views. You object rather to the position of an elected member of the town council practically taking the place of the town clerk; that is what it practically comes to—the chief of the staff?—He takes the place more of chairmen of committees.

9867. And of the town clerk?—And of the town clerk; one-tenth of my position and nine-tenths of chairmen of committee. He would take the work out of their hands. Suppose the mayor is very much engaged there is always the deputy mayor to take the chair at meetings.

9868. You do not think he would be so independent as a gentleman who held office practically during good behaviour?—I do not think so.

9869. Have you ever noticed towards the end of a councillor's term his independence being a little less marked if he were going out in November?—Yes, always so.

9870. (*Lord Farrer.*) Does all the correspondence of the council with external bodies go through you?—Oh, yes, the whole of it, and a good deal of the mayor's correspondence with regard to the amenities of his office and the dignities of his office comes to me.

9871. Having the correspondence in hand of itself gives a considerable deal of importance and power if you have the settling of the letters?—Yes, I have all letters to write excepting, of course, those that belong to other departments, but those regarding the policy of the council all go through my hands. For instance, take what happened yesterday. It was discovered that the late water engineer had been carrying headings under Colonel Seely's land. I had to write to Colonel Seely; the engineer did not write to Colonel Seely; I wrote that important letter informing him that some great mistake had been made, and apologising for what we had done, and leaving ourselves in his hands.

9872. (*Mr. Smith.*) How was that found out?—The water engineer suspected that his predecessor in office had been guilty of an act of trespass.

9873. What did he do?—He went to the chairman of the committee who telephoned for me, and I suggested that the best thing to do was to write at once to Colonel Seely.

9874. You did that on the authority of the chairman without his committee?—We could not wait for his committee. Colonel Seely had said several times to me, "I hope you are not trespassing on my land." I have replied, "We should not think of doing such a thing." I could not think we should. When we found that we had been doing so we would not wait for any committee to acknowledge the wrong done.

9875. (*Chairman.*) The trespass was of old standing, was it not?—Quite recent; providing a new driftway for our water supply. It was a most unfortunate position, for us to be put into, and we felt quite humiliated by being put in such a position by one of our staff. That is an illustration of what kind of work the chairman of a committee does, without any authority of the committee, but I do the correspondence.

The witness withdrew.

Adjourned till to-morrow at 11 a.m.

TWENTY-FIRST DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 23rd February 1894.

PRESENT:

THE RIGHT. HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

Mr. H. E. Clare. 28 Feb 1894.

MR. HARCOURT EVERARD CLARE, Deputy Town Clerk of Liverpool, called in and examined.

10,040. (*Chairman.*) Mr. Clare, you are Deputy Town Clerk of Liverpool?—Yes, sir.

10,041. How long have you been in that position?—Eleven or twelve years.

10,042. Had you any former experience of the work of Town Clerk?—No, none whatever. I came into the Corporation service just before the late Mr. Rayner died, and I at once took up the Parliamentary work, and since then have had the whole control of it.

10,043. That work has been entirely given to you practically?—Yes.

10,044. And you have a general supervision of all the committee work?—Yes, practically. If there is any trouble going on in any committee, or any difficult matter to carry through, it generally comes into my hands.

10,045. You were present yesterday?—Yes, I was.

10,046. And you heard the evidence of Sir Samuel Johnson?—Yes.

10,047. You heard what he said as to the constitution of municipal corporations—as to the arrangement by which one-third of the members retire annually?—Yes; and I quite agree with him that the principle of the Municipal Corporations Act, which provides for one-third of the councillors retiring annually, is far preferable to that of the Local Government Act, which requires the whole Council to retire every third year. In the first place, I think it is a useful thing that the administration of the council should come under the review of the ratepayers every year, in order that, if the Council is taking a line of action with regard to any subject of importance which was probably not before the ratepayers when the Council was originally elected, this line of action should be discussed by the ratepayers before the matter has gone too far to allow the Council to draw back; and by having this annual election I find from my experience that the most burning questions in connexion with the administration of the town are discussed prior to the November elections, and I think that is very beneficial.

10,048. That argument might be extended to support the system in vogue in the City of London, where all retire every year?—Well, the objection to all retiring every year, or at any given period, is, I think, that you may get the personnel of the Council too much altered suddenly; and as the Councils are elected in boroughs almost entirely upon political grounds, you may get men elected on political grounds quite unfitted, at first at any rate, to carry on the administration of the town, which must go on whether elections take place or not.

10,049. In Liverpool the elections do take place on political lines?—Almost entirely.

10,050. Candidates range themselves on one side or the other, according to a political party?—I think, with about two exceptions, a candidate would have little chance of receiving any votes unless he said he was either a Tory or a Liberal, or an Irish Nationalist, or connected with the Labour party.

10,051. And the organization of these parties is used to promote those candidatures?—The organization, and, I should think, the money too.

10,052. (*Lord Farrer.*) But when one of those occasions arises, in which there is a burning question in the Council, and there comes the annual election of the one-third, does not that question influence the votes of the electors more than political considerations?—I do not think it influences the votes of many; but at the same time it is a very good thing to have the burning question that you refer to, my Lord, discussed, because it, as a rule, obliges these candidates to take a line of action one way or the other with regard to it, and you often find that both candidates approve of the same policy. But, as a matter of fact, I do not think the question as to what is really best for the town has very much to do with the result of the elections; it depends whether a man is on one side in politics or the other; and, of course, as it is purely a question for the ratepayers, if they choose to pay for that pleasure, it is their business and nobody else's.

10,053. (*Chairman.*) And you think those political characteristics would be aggravated by the election of the whole Council taking place every year or by the election of the whole Council taking place every third year?—Yes; I think it would inevitably cause a most bitter political contest. It sometimes happens now that arrangements are made between the two parties that some wards shall not be contested; but if the whole Council were retiring there would be such a struggle to maintain the supremacy, and "keep the Town Hall," as it is called, that I think there would be a bitter contest in every ward whenever an election of that kind took place.

10,054. (*Lord Farrer.*) On political grounds?—On political grounds purely.

10,055. And not on municipal grounds?—And not on municipal grounds. Of course, the candidates, when they come forward, in their speeches talk a great deal about municipal matters; but the burden of their song always is, they are either Tory or Liberal.

10,056. (*Chairman.*) Has the division of Liverpool into wards at all affected the conduct of municipal elections—I mean the Parliamentary divisions of Liverpool?—I think that the municipal elections are conducted on party lines, largely for the purpose of keeping the political organisations in order; that is to say, that if they did not have an election every year or every two years, their workers would get distributed; they would lose their enthusiasm.

10,057. I did not express myself clearly. Liverpool was at one time an undivided borough, and the whole organisation, Liberal or Conservative, was one throughout the constituency?—Yes.

10,058. So that in any chance election, you could get the whole political force of the whole party throughout the constituency brought to bear. Now that Liverpool is divided into several Parliamentary boroughs, has that division affected the conduct of municipal elections?—Oh, I do not think there is any difference.

10,059. There is no less political power brought to bear upon elections now than there was formerly?—I should say myself that the political organisations at the present time are more powerful than they ever were, because they have an organisation for each division.

10,060. They have not one for the whole of Liverpool, have they?—Yes. There is a Central Constitutional Association, and a Central Liberal Association, and under that, I suppose, there would probably be these divisional staffs or organisations.

10,061. There is a central organisation for each party in Liverpool?—I understand so. I am not a politician myself. I have never given a political vote the whole time I have been there.

10,062. You know the state of political parties, as you know the state of the weather?—I think the funds are found by the Central Association.

10,063. You heard what Sir Samuel Johnson said about Aldermen?—Yes, sir.

10,064. Would you agree with the opinion he expressed about the value of Aldermen?—I do. I think they give a stability to the policy of the Council, and they are less actuated by political considerations after their election than the councillors who have to go before the ratepayers for re-election. They are always elected—or have been from my past experience—on political grounds; but, when elected, I think they are freer to exercise a sound judgment upon matters affecting the welfare of the town than a councillor who is probably going before his constituents in the course of a few months.

10,065. (*Lord Farrer.*) They are always elected in the Council on political grounds, are they?—It seems to me to be so, because the majority for the time being invariably elect men who profess the same political opinions as themselves.

10,066. (*Chairman.*) Sir Samuel told us that in Nottingham they always elect from within the Council, that is not the case in Liverpool, is it?—Not

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always. They have elected gentlemen who are not councillors.

10,067. But who have been councillors?—Well, they have generally either been councillors or been candidates. I myself think it is a very good principle contained in the Municipal Act, and in the Local Government Act, too, which enables the Council to elect gentlemen from outside the Council, because there are many men of standing and position who would be very glad to take a keen interest in local matters, and whose opinion and judgment would be very beneficial for the public if they were in the Council, who would not go through the turmoil and annoyance of an election, and consequently they will not come forward and take part in public life; and if judiciously exercised, and not exercised for party purposes only, I think it is an extremely useful power for the Council to have.

10,068. (*Lord Farrer.*) I suppose within the party they do pay attention to municipal qualifications in making the election?—I think, my Lord, that the power to elect Aldermen has sometimes been used as a means of rewarding political exertions at ward elections. I mean to say that a man who has, so to speak, served his party well, and, more or less, put them under an obligation to him, has sometimes considered himself to have the right of being elected an Alderman. I do not mean to say that I can say that is so, but I think it is.

10,069. And it is regarded as an honour rather, is it?—Oh, yes. I think that all men who are elected regard it as an honour.

10,070. (*Chairman.*) Lord Farrer was inquiring whether, *ceteris paribus*, as politicians, a person who was more apt and ready for municipal work would not be preferred?—No, I am afraid not—not as things stand at present.

10,071. You do not care about *ceteris paribus*?—One has known cases where men that even the Crown had delighted to honour have been passed over, and not elected Aldermen.

10,072. Liverpool has been sometimes cited, justly or unjustly, as a case in which the Aldermen have got the control of the Council on one side by the power of electing their own successors, or rather joining in the co-optation of other members?—No doubt, as long as you can get the necessary majority on the 9th November to elect the outgoing Aldermen when the year comes for electing them, the party in power can practically obtain the control of the Council for the next three years at any rate.

10,073. And with the assistance of the surviving aldermen a minority could obtain the control of the Council—a minority of the elected Council?—Certainly. Suppose that in Liverpool, where we have 16 wards, there happened to be 27 councillors elected representing one party, and 21 representing the other party, if the 21 have to start with 8 Aldermen to add on to their number it makes them 29; consequently, when it comes to electing the 8 Aldermen in place of the 8 retiring, the 29 can just re-elect 8 of their own political party, and so get a working majority in the Council, which, on the case I have supposed, practically puts a majority in the Council of a different complexion to the majority returned by the ratepayers. I think myself that Aldermen ought not to vote for Aldermen.

10,074. You approve of the change in the Local Government Act of 1888?—Yes, I think—I mean to say, if you are going to have popular representation, I think the election of Aldermen ought to be in the hands of the councillors elected by the ratepayers.

10,075. But, subject to that modification, you think the addition of Aldermen useful in corporations?—I think that, as a rule, the Aldermen are the best men you have in the Council.

10,076. Have you any view as to the proportion that they should bear, whether they should be one-third or one-sixth of the elected members?—I think one third is better than one-sixth, because, as I say, they are, as a rule, the best men in the Council. They have a large experience and a long experience of the work; and they do keep up that continuity of administration upon matters which are not touched by politics, which is highly beneficial for the town at large.

10,077. (*Lord Farrer.*) You said that imperial politics play a great part in the election of Aldermen. To what extent do imperial politics play a part in the ordinary business of the Council when men are once in? Do they act politically?—When they are once in, on all matters which are not likely to attract the notice of any particular section of the ratepayers, I do not think that politics have anything to do with their decisions and with their votes. But when men are returned, we will say, with a narrow majority, and upon the votes of people who may be turned against them at the next election, if they take up a certain line, then I think very often their better judgment is warped by the consideration of the effect their action may have upon the next election.

10,078. (*Mr. Smith.*) I should just like before leaving this subject, Mr. Clare—you know that in Birmingham we never elect Aldermen from outside the Council?—I have understood so, yes.

10,079. So that every Alderman must at least, once, generally twice, or thrice, have presented himself to, and been elected by, the ratepayers?—Yes, that is so.

10,080. Now, do you find in Liverpool that, although, as you say, in the first instance a man has to range himself upon one side or the other in politics to enable him to be elected; do you find that after he has been elected, if he has made a mark in the Council, and has distinguished himself by good municipal work, that his re-election is generally a matter of course?—No, I am sorry to say it is not so.

10,081. It is not so?—We have had excellent men turned out of the Council at a purely political fight.

10,082. And that has been the case for a number of years, has it?—It has been the case, at any rate, the last eight or ten years. Previous to eight or ten years ago, the Tories were so strong in Liverpool that I think the Liberals used not to give them very much trouble. But there is no doubt about it that in Liverpool we are rather exceptionally placed owing to the anomalous condition of our wards. There are a number of small wards in the old parish, which no doubt bore a proper proportion in population to the outside wards when they were created in 1835, but owing to the transformation of dwelling-houses, streets, into business premises, the shifting of population, and the growth of population, some of the wards in the inside of the city perhaps have some 700 to 1,200 voters, whilst there is one ward in Everton, Kirkdale, which has 24,000 voters. But that is going now to be rectified in this extension scheme that we are now carrying out. In conjunction with extension the Council propose to have a rearrangement of the existing wards of the city, in order to give proper and fair representation all round.

10,083. Then it is your experience that a good man who has made his mark, as I say, in the Council for municipal work has to fight for his seat just the same as a man who has made no mark at all?—Yes; and I regret to say many good men have been turned out on political considerations.

10,084. That is not our experience in Birmingham. There have been one or two instances to the contrary, but only within the last acute phases of politics?—I agree with you when it is only a question of getting one or two extra men in the Council to turn the majority that these very extra hard fights take place as a rule. If you have got one party with a large majority in power I think that the other side, seeing that no substantial advantage can be got by gaining one seat, would prefer to leave a good man unopposed than to put in a mere politician.

10,085. (*Lord Farrer.*) And the stronger party are generous enough under those circumstances to keep a

good man, though he belongs to the minority, in?—I do not think that.

10,086. (*Chairman.*) The word "generous" is doubtful?—I do not think that happens so much. What happens is this, that the minority let the good man alone when they find it is no use fighting.

10,087. Then they are magnanimous when it is not important?—Occasionally it has happened in Liverpool that the Conservative party have left unopposed the seats of many good Liberals, in the olden days before party strife got so strong as it is now.

10,088. (*Mr. Smith.*) I think in Birmingham I can only remember three or four instances where men who have been distinguished for municipal work have had to fight for their seats, within my experience?—In the last three or four years they have had to fight very hard for their seats in Liverpool.

10,089. (*Chairman.*) Perhaps you have heard, in Birmingham, not long ago, all the councillors belonged to one party, so there was no question of discrimination when they came to re-election?—Yes, and of course, as I say, it was the same in Liverpool when the Conservatives were so strong that it was really no use attempting to get a majority.

10,090. (*Mr. Smith.*) Yes; it was before my time, when the party was so completely one-sided. Now they are broken up into three parties, and pretty nearly equal in number?—I look upon politics as a necessary evil in municipal elections—we have to bear with it. It is probably the most convenient ticket on which to have the elections fought out. If it were not for politics, we might have half a dozen candidates coming out for one seat, all running on different grounds.

10,091. (*Chairman.*) But that being an inevitable ingredient, the potency of it is much diminished by the fact that the Council retires by thirds, and that there is the permanent element of the Aldermen introduced?—I think so. I think the Municipal Act of 1835 is an excellent basis for all local government legislation.

10,092. Liverpool is a very big borough at present?—It is large in population, but not in acreage. The present population of the existing city is 520,000, and I think that gives a population of about 115 to the acre.

10,093–5. That is the largest population of any borough in England?—No, I think Manchester was by the last census about 20,000 more than Liverpool. But with the extension that we are just about carrying out we shall have 120,000 more.

10,096. (*Mr. Smith.*) I think you are rather depreciating yourself; I think you are the first?—We were in 1881; we are not in 1891, because the Manchester extension came in just in time for the census.

10,097. But you know that before that Birmingham was larger than Manchester?—Yes.

10,098. I thought you were the first; you know, I daresay?—We were the first upon what they call the medical officer's estimate of population.

10,099. (*Chairman.*) It proved to be a great error, the estimate of Liverpool?—Yes, and in many other places, too. It is just like those estimates of death-rates; they are most deceptive. The medical officer always makes his population as large as he can, and always makes his death-rate as small as he can; if he can only get people to die in somebody else's hospital he will not count them in his district.

10,100. At all events, you are a very big borough, and you are going to ask for an increase?—We had the local inquiry the week before last, and I am glad to say we have carried the whole scheme so far.

10,101. You do not shrink from making your borough bigger?—Not at all. I think this, one of the main principles you have to fight for in local government life is to get wherever you find what is practically one large community—have it enclosed in one area and under one government for all purposes.

10,102. As population spreads and the area grows bigger, you would extend the one municipality so as to cover the increasing area?—Yes. I think the principal which was laid down in the general legislation of the country was right, namely, to formulate systems of administration applicable to communities in different stages of development, and then when you found the communities had developed up to the point when the higher class of administration ought to be applied, then I say that administration ought to be applied, and not to be kept back, through what I may call the selfish or improper opposition of the people. You find some local board districts surrounding large towns which are clearly in a stage when they ought to have municipal government. They will not have it because of some question of rates or they are in some happier or more fortunate position geographically which enables them to get all the benefits of the large town near them without paying anything for them, and their own district may be such as may be very cheap to administer, and, of course, they do not like to give up those benefits.

10,103. You think it better that Liverpool should take in Toxteth than that Toxteth should be transformed into a municipality with a Mayor, Aldermen, and Council?—I think it would be a great evil, and it is a very great evil to cut up any one community.

10,104. It is not cutting up one community, it is to refrain from increasing the community?—I put it, sir, that it is one community; may I show you on a plan what I mean.

10,105–6. Locally, of course, it would not be one community. (*Mr. Smith.*) Of course, what you mean is Toxteth could hardly exist without Liverpool?—Toxteth is part of the town of Liverpool. What I mean is this, here inside this blue line is the old parish of Liverpool, which up to 1835 was also the old borough. Just about here was the nucleus of Liverpool, started, we will say, well the first charter was given by King John in 1207. As the trade of Liverpool has increased, the docks have been constructed, the population has gone on increasing, and in 1835 it had pretty nearly filled up the old parish, that was the old borough, and a good deal of it had spread over here; consequently, when the Reform Act was passed in 1832, there was a re-arrangement of the Parliamentary boundaries so as to bring into the boroughs the urban populations. The Boundaries Act of 1832 extended the parliamentary borough of Liverpool which was within the blue line to this line here, which is the present municipal boundary.

10,107. Then the municipal followed it?—Yes; then after the extension of the Parliamentary boundary, the Municipal Reform Act came in 1835, and then, in spite of a very strong opposition of the old Corporation of Liverpool, they were made subject to its provisions, without any regard to the desire of these people to be incorporated or the desire of the borough to become responsible for the government of that area. The Act itself extended the boundaries so as to make them coterminous with the Parliamentary boundary.

10,108. That was the whole principle of the Municipal Reform Act of 1835, extension, and reform?—Yes, certainly. On that point I might mention this, that the old Liverpool was an extremely fortunately placed town; they had a large estate, they were large landowners, they had the exclusive right to establish markets and maintain them, they had the power of levying what they called "town dues" upon all goods that came into the borough, which practically gave them a very enormous revenue from the docks which they owned at that time. They had freemen, they had their own Mayor's Court—the Court of Passage which now exists; they had a Recorder, and they had built their Town Hall, and one or two other institutions. They had no rates.

10,109. (*Lord Farrer.*) They paid their expenses out of the town dues?—Yes, but they were a Corporation almost unique in their wealth; they had all this immense wealth which was up to that time exclusively belonging to this area. Well, then Parliament came in. Although they had an inquiry I do not think they

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found any really great amount of corruption or mismanagement; but they practically said: "the government is not in conformity with the needs of the people, you want reforming, and you shall be reformed;" and, in spite of all opposition, they compelled the old borough to take in this area, and they gave the area taken in an equal share and partnership in all the benefits and all the property, the wealth of the old parish. Then, sir, when I was speaking of this question of one community what I meant was this: that as Liverpool increased beyond the parish boundaries, then it gradually filled up the new area incorporated in 1835. Since then it has gone on growing until its municipal boundary is nothing else but a line drawn upon a plan which you cannot trace in the character of the buildings. I may say you will see from the plan that the roads run through the boundaries. That is the borough of Bootle; here, again, it runs into Walton. The streets run continuously from the city into all these districts, and in Toxteth they do in the same way. Now, if you look at the plan, you will see that there is no such thing as a growth from a centre outside Liverpool towards Liverpool, it is a pure outgrowth of Liverpool and nothing else. In this area outside the present city the Corporation have all their parks, they have spent something like 800,000*l.* on those parks; now the whole of the people residing here are simply the people who get their living and work every day in Liverpool, either in trade or commerce or work as labourers, and I maintain that the whole of that district is one community, bound together by trade interests and to a large extent by social considerations, and it ought to be under one government for all purposes, and it ought to be one rating area, because we have now unfortunately this district rating to a certain extent. It is not fair to my mind that a district like Toxteth Park, so fortunately placed as it is with nothing else but houses mostly of a valuable character,—or, at any rate, even the small houses are well built and fitted for the better classes and artisans,—that they should not share in the general liability to maintain the poor in other portions of the district. The greatest poverty we have is in that parish (*pointing on map*).

10,110. (*Lord Farrer.*) At the back of the old docks?—Yes; probably the most dense population is in Everton; the old parish is of enormous rateable value; Everton, being only dwelling-house property, has a very small rateable value, consequently the district rates in Everton are very high compared with the district rates in the old parish. I maintain that that is all one community; it is all bound together by a common interest, and every rate ought to be an equal rate over the whole area.

10,111. (*Chairman.*) Your argument would extend to the absorption of Bootle?—Yes. I dared not bring Bootle into this question at this time, because if I had done so it would have made the opposition so strong that we should not have succeeded.

10,112. (*Lord Farrer.*) That is your West Ham?—Yes; well Bootle is really more a part of Liverpool than any of these other districts, in the sense that it has more of a business character; it is more a continuation of the docks.

10,113. (*Chairman.*) I do not want to put it as a difficulty, but as far as I can see your argument would extend to Bootle?—Yes, the great defect in the scheme is that it does not extend to Bootle.

10,114. Let me ask you another question; you said these parts were bound together by trade interest and all ought to be under one government for all purposes; how far would that be true of Birkenhead?—Well, of course there are practical difficulties in carrying out any principle; Birkenhead no doubt really has sprung up out of Liverpool in a sense, but at the same time Birkenhead has very large docks on the other side, which, although under the control of the Mersey Docks and Harbour Board, might be worked independently of the docks in Liverpool.

10,115. They are not?—They are under the same control but there are immense docks in Birkenhead, and they have a distinct trade; but then the question is this, that we are divided by a mile of river.

10,116. (*Lord Farrer.*) And drainage, gas, and water, would be different in Birkenhead?—Yes, in Liverpool we have two drainage areas.

10,117. Two drainage areas?—We start from here (*pointing to the plan*), somewhere about here, and round here all falls into the Mersey, this part falls back into the country and goes off into what we may call the Alt drainage area, the Alt river which enters the sea above Formby.

10,118. (*Mr. Smith.*) As a matter of Parliamentary practice there are very few precedents, if any, are there, for any municipality absorbing another?—No; since 1835 all extensions of municipalities have been by private legislation, and Parliamentary committees have laid down the principle—which I think is quite contrary to the interests of local government—that no matter what case you may show for incorporation they will not incorporate a district without the unanimous consent practically of the people proposed to be incorporated, and unless you can show that your neighbours are a nuisance to themselves and to you as well, or that they have not a proper drainage system and want it, or something of a very exceptional character, there is not the slightest use to attempt extension of borough boundaries now by going to ordinary Parliamentary committees.

10,119. (*Lord Farrer.*) That applies whatever the form of the local government is, whether it is a borough or whether it is an urban sanitary authority or a rural sanitary authority?—It applies certainly to local boards, and, *a fortiori*, it would apply to boroughs.

10,120. When did Bootle become a borough?—In 1869. It was a very great mistake that the Corporation of Liverpool really allowed it, but, as a matter of fact, a few men in Bootle presented a petition for incorporation and Lord Derby, who owns all the property there or a good deal of it, and who was then I think in office, moved in the matter, and before anybody knew anything about it, the charter of incorporation came down, and Bootle was a borough.

10,121. (*Mr. Smith.*) But I think, as a matter of Parliamentary practice,—you perhaps have been looking up the precedents—there is no precedent, is there, for one borough absorbing another?—I never heard of it; not compulsorily; I never heard of even amalgamation.

10,122. (*Chairman.*) There has been a considerable contest between Glasgow and the adjacent boroughs?—Yes, but the boroughs in Scotland are not the same as our municipal boroughs in England; they are not boroughs, but they are more of the character of our local boards under the Public Health Act.

10,123. Now, we will proceed to some consideration of the working of your Corporation; you have got 64 members?—Yes, sir; 48 councillors and 16 Aldermen.

10,124. How many committees have you?—We have 11 standing committees.

10,125. You had better give the names of them?—There is the Finance Committee, with 17 members: the Watch Committee, with 17 members; the Health Committee, with 17 members; the Markets, with 12 members; the Library, Museum, and Arts Committee, with 16; the Water, 17; Baths, 11; Parks, Gardens, and Improvement Committee, 16; Insanitary Property and Artizans' Dwellings, 14; Hospitals, 14; and Parliamentary, 20. Then in addition to that the Council appoint eight members to sit on the Lancashire Asylums Board to represent the county borough of Liverpool.

10,126. You have sub-committees from time to time besides these 11?—Yes, and they appoint special committees occasionally to inquire into any particular subject that is not exactly fitted to go before any of the other committees.

10,127. And how are these committees constituted?—Well, directly after the elections on the 1st November, what is called the Committee of Selection is

summoned by the outgoing Mayor. That Committee of Selection consists of two members appointed by each of the standing committees at their last meeting prior to going out of office. Then that committee meets after the elections, and the names of all the councillors are printed, and the committee then set to work to select the members of the different committees. There is very often a good deal of discussion at that meeting, but, at any rate, either by a unanimous vote or by a majority, the names of the gentlemen proposed for the different committees are decided.

10,128. Two members from each outgoing committee?—Two members of each outgoing committee.

10,129. Two surviving members, or do they sometimes select two on the chance of their being elected?—No, they are always two members who are not retiring.

10,130. Who are not retiring?—Then on the 9th November after the election of the Lord Mayor——

10,131. How many members would there be on the Committee of Selection?—There would be 22.

10,132. Plus the Mayor?—Plus the Mayor.

10,133. That is 23?—Then on the 9th November, after having elected the Lord Mayor and gone through the formal business, the proceedings of the Committee of Selection come up for approval.

10,134. I presume that the Committee of Selection has regard to the composition of outgoing committees?—Oh, yes, as a rule members are not changed from a committee unless they ask to be changed; but there is a certain amount of what I may call promotion that goes on. The younger and more inexperienced members of the Council are put on committees where there is not such important work to be done, and then in time they get put on the more important committees. For instance, there is not so much to do on the Baths and Markets Committees as there is on the Finance or Water Committee, so there is generally a desire—I mean among the councillors that are anxious to do good work—to get on these more important committees, and as time goes on they get promotion, so to speak.

10,135. They get made chairmen, I suppose, in course of time?—In time, yes.

10,136. (*Lord Farrer.*) Do the committees select their own chairmen?—The committees select their own chairmen, and I must say—this is my experience—the election of chairman is not a political consideration; they do elect the men that they seem to have most confidence in, and no man is allowed to be chairman of two standing committees.

10,137. You have an absolute rule to that effect?—Except as regards the Parliamentary Committee.

10,138. Can a man be chairman both of a standing committee and a sub-committee?—Of a sub-committee he can, but he cannot be chairman of two standing committees, excepting that he may be chairman of the Parliamentary Committee, and of course that is advisable, because Parliamentary work is generally in connexion with the work of other committees, and you want a really strong and able man to be chairman of the Parliamentary Committee.

10,139. (*Chairman.*) Does this Committee of Selection sit in private?—Yes.

10,140. (*Mr. Holt.*) Not necessarily; I think it is according to the vote of the committee?—Yes, I think once they had the reporters in.

10,141. Once they allowed the reporters to come in?—I think during the last two or three years they have allowed the reporters to come in.

10,142. Yes, generally the chairman—the Mayor—inquires whether they would like the reporters to be present or not, but according to the practice of the Corporation, it is not usual for the reporters to be present at this meeting.

10,143. (*Chairman.*) That was rather confidential work, they might have excluded members of the Corporation?—Well, there is a theory now that you cannot do anything without a newspaper reporter.

10,144. (*Lord Farrer.*) Do newspaper reporters find it worth their while to come?—Oh, they are too keen to come; if you do not admit them to the meeting they try to get information of what has transpired and give you an immense amount of trouble.

10,145. (*Mr. Smith.*) Or make statements that are not authorised in the hope that you will contradict them?—There is a great idea that there must be this bright light of publicity upon all the proceedings of the Council, and the committees consequently carry out that theory. The committeess say they will have the press present.

10,146. (*Lord Farrer.*) Is that so in discussion on contracts and things of the kind?—No, they carry out that theory by having the press present, and they never do anything before the press which it is of importance to keep private.

10,147. (*Chairman.*) The committee has its caucuses before it sits?—The chairman announces "that is all the public business"—and then we set to work.

10,148. (*Mr. Smith.*) I may say, Mr. Clare, that exactly agrees with our practice in Birmingham. We have our reporters present at no committee except the Watch Committee; and for some reason the Watch Committee have been accustomed to have the press. The result is that it has formed a sub-committee—a Judicial Sub-committee—which consists of the whole body. While ordinary matters are transacted at the Watch Committee, the sub-committee have referred to them every matter of importance. The reporters are not present at the sub-committee meetings.

10,149. (*Chairman.*) Is there much discussion as to the composition of these committees?—Yes, sometimes. There is a great deal of personal matter sometimes brought up; and it is the first meeting of the Council after they have had a contest, and therefore the love of fight has not quite died out, sir.

10,150. And then the Council as a whole meet, and the resolutions of the Committee of Selection are proposed to them; is that the case?—Well, the Committee of Selection settle the draft Standing Orders, and they settle the names of the gentlemen they recommend on the different committees. Then on these proceedings coming up to the Council the leader of the Council proposes first of all, we will say, that the Finance Committee consist of 17 members. Then that we will say is agreed to.

10,151. (*Mr. Holt.*) The retiring Mayor, I think?—Yes, the ex Mayor. Then he reads out the names, he proposes the name of the first gentleman; there is no objection, he concludes, and so we go on through each committee.

10,152. (*Chairman.*) Is there ever any discussion on the question then proposed?—Yes; sometimes a member gets up and proposes that Mr. Jones be substituted for Mr. Brown—then they discuss it and vote upon it Then sometimes a gentleman gets up and says, "I do not "want to be upon the committee; I should like to be "removed." Then they agree that he shall withdraw. Then they suggest someone else in his place.

10,153. (*Mr. Smith.*) You are speaking of the proceedings of the Council?—On the 9th of November.

10,154. On bringing up the Minutes?—No; on the 9th November.

10,155. Yes; but on bringing up the Minutes of the Committee of Selection?—Yes.

10,156. (*Lord Farrer.*) Are not the members of the Council consulted at all in the first place before they are put?—They are, I think. They are consulted in this way—that each party has its caucus meeting beforehand, and tries to arrange things among themselves.

10,157. (*Chairman.*) Sometimes a person is appointed who does not wish to go on?—Yes.

10,158. (*Mr. Smith.*) But, as a rule, I suppose, Mr. Clare, the report, or the recommendation of the Committee of Selection is loyally supported by the Council?—As a rule, it is carried through with very little change.

10,159. I think it is with us?

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(*Chairman.*) The committees being appointed, how do they go to work?—First of all, they elect their chairman and deputy chairman, and then the ordinary business is done in the usual way. The Town Clerk, or whoever has charge of the committee, prepares a sheet—as may be this paper which I have in my hand,—in which are entered all the different subjects which are waiting for the consideration of the committee. Then each subject is dealt with. The heads of departments, or whoever the officials are that have to do with the subjects on the paper, are always present in the committee room; they describe the circumstances and give any information that is required, and, if asked, give their advice and suggestions; and the committee then decide what they will do; the chairman then makes a short memorandum, and afterwards the resolutions are properly framed upon it.

10,160. Would not there be some special work at the first meetings of the year?—Nothing very much, excepting that they appoint their sub committees.

10,161. When do the estimates of the expenditure of the year get drawn up?—The estimates at Liverpool come up in January, because our municipal year terminates on the 31st December, and not the 31st March, as is usually the case. Each spending committee prepares its own estimates. The way the estimates are prepared is this: we will say it is the engineer—the water engineer, or the city engineer, or the surveyor, prepares what he thinks ought to be the estimates for the year. He puts in everything that is absolutely essential, and he also puts in things that he thinks the committee may like to order to be done, but which are less urgently required — perhaps it is work which is needed, at the same time not of a pressing character; and then when it comes under the consideration of the committee, they of course pass everything that is necessary; and then when it comes to the question whether in this particular year they shall do this work which is needed, but at the same time not pressing for 12 months, perhaps, or so, they then discuss the matter, and either agree to it, or strike it out, or reduce the amount to be spent on any particular item. Then that having been done by the committee, the estimates are printed in this form—we have everything printed on the same size of papers for the purpose of binding. There is the form of estimates (*produced*)—it is the form of estimate of the Improvements Committee. It just shows generally the style of it.

10,162. These go back in the first place to bringing up arrears of work already authorised?

10,163. (*Lord Farrer.*) It is the improvement sanctioned in a particular year, I think; and here is the provisional order of 1878. This item relates to work done under it?—Perhaps it will be more convenient if I show you the Health Committee estimate—that is the estimate of the Health Committee, which really covers streets, sewers, and work of that character. Now, you have noticed there, sir, that opposite different purposes is placed a figure.

10,164. (*Chairman.*) Yes?—And that means this, that after the Council have approved of those estimates, the figure opposite any particular item cannot be exceeded by the committee, without coming to the Council again for a supplemental vote.

10,165. (*Lord Farrer.*) But before you get to the Council do these go before the Finance Committee?—After each committee has prepared its own estimates, the estimates go direct from each committee to the Council.

10,166. (*Chairman.*) From each committee?—From each committee in the first instance. Then the Council discuss them, and sometimes reduce them, and then pass them either as prepared or as amended. Then the estimates of each committee are referred to the Finance Committee for them to prepare an estimate for the purposes of the general rate, and the Finance Committee, so to speak, collect the estimates from all the committees into one paper, and they find out what general rate is necessary to be levied to cover the expenditure of all these committees, and they then recommend the levying of one general rate for the whole of the purposes.

10,167. (*Lord Farrer.*) And the Finance Committee exercise no control at all; they do not even criticise in any way?—No. That is done in the Council. What happened last year was this: the Council referred the estimates to a sub-committee to report to them, and then that sub-committee went into them very carefully, and made some recommendations.

10,168. (*Chairman.*) That would be a special committee?—Yes.

10,169. (*Lord Farrer.*) Not the Finance Committee?—No. You see it would be impossible for the Finance Committee, for instance, to deal with the estimates of the Health Committee. They do not understand them. Unless they are really in the work, and understand what it is, they cannot prepare estimates.

10,170. They are a Committee of Ways and Means, and they have no control over Supply?—No, really the Finance Committee—the work of the Finance Committee—with regard to levying the rate is practically limited to saying what general rate will be necessary to be levied for the expenditure which has previously been approved of by the Council.

10,171. They have to find the means?

10,172. (*Chairman.*) The Finance Committee do not see these estimates until after they are approved by the Council?—Approved by the Council; and then it is for them to decide. They have to consider what their bank balances are, what the probability is of a penny rate producing more or less than the previous year, and what sum they will want for contingencies, and what sum they must have as a balance at the end of the year.

10,173. (*Mr. Smith.*) Do you not think that that practice at Liverpool may be a little dependent on the fact that you do not levy any borough rate?—No. The real reason of its being done in this way is owing to that scheme of mine which was included in the Act of 1893. Previous to 1893, there were about eight or ten different rates levied in Liverpool on the same assessment, and each committee practically levied its own rate. The Health Committee levied its own; the Water Committee, the Improvement Committee, and so on—that is to say, it made its own estimates, stated what rate it required, and the Council directed the levying of the rate on the direction of the committee itself. Then in 1893 I carried out a scheme for the equalisation of rating in Liverpool; and part of it consisted in abolishing the whole of these different rates, and putting them all into one general rate.

10,174. It simply means adding together the different items, not changing or modifying those rates in any degree?—No, that is all—excepting this: that I think it is an advantage to have the whole of the banking business done by one committee, (so you do not have one account overdrawn and the other with a surplus more than sufficient for its needs,) and all the expenditure of these committees in one banking account. All the Finance Committee have to do is to see that they have sufficient money at the end of the year to carry them on till the new rates come in.

10,175. (*Lord Farrer.*) The rate note which was sent in to the householder formerly showed each rate separately?—Yes.

10,176. (*Mr. Smith.*) They were separate rates.

10,177. (*Lord Farrer.*) They were separate rates?—Well, some of them; they are all put on the same paper.

10,178. (*Mr. Smith.*) Made as distinct rates?—They were made as distinct rates, but collected practically together.

10,179. (*Lord Farrer.*) And now do they appear on the rate paper as one rate?—Yes, as one general rate.

10,180. (*Mr. Smith.*) Do you not think you can go a little further—you have got rid of your making the separate rate—do you not think it might have

been an improvement to get rid of the separate submission of each estimate to the Council in the first instance, instead of sending the whole to the Finance Committee first for examination?—Well, the difficulty is this: that the Finance Committee would hardly be able to deal with the estimates in that way, unless they had the members of the Health Committee present to explain them.

10,181. I admitted yesterday that there is no absolute control, but it enables what we call our Finance Minister—which is what we call the chairman of our Finance Committee—if it is a question of levying a penny more or less in the pound, to go to the chairman of one or two spending committees and ask them to exercise a little pruning to reduce their estimates if they can?—Oh, that is done.

10,182. Before going to the Council, I mean?—Yes. For instance, we will say the estimates of the Health Committee were thought to be rather high, our Council did not take any notice of the details, they said they would take off 10,000*l.*

10,183. But then that is a danger, they may be doing that at a guess; and they have not before them the whole of the estimates, so they do not know what effect that may have upon the rates?—No. But they do practically know it. They make inquiries before they do it.

10,184. (*Mr. Holt.*) I think in that case, Mr. Clare, it might give a wrong impression. I think when that great reduction was made, it was made with the approval of the Chairman of the Health Committee?—Oh, clearly.

10,185. Without the fact of referring these estimates to the Finance Committee, they have a very large aggregate estimate, and they have a considerable amount of revenue, which has to be taken into account in the amount required to make up the sum required by the various spending committees, and that is an amount of which the committees have little or no knowledge?—Yes, sir; but the revenue that the Corporation have from estates and other sources does not affect the general rate; the effect of this is that it makes it unnecessary that you should levy a borough rate.

10,186. (*Mr. Smith.*) It does not affect the general district rate?—No.

10,187. (*Lord Farrer.*) Do you levy a borough rate now?—There has never been a borough rate in Liverpool, and I hope there never will be.

10,188. The Town Dues Compromise gave you a considerable sum, did it not?—One and a half millions.

10,189. Has that ever been paid off or not?—It has been paid off, and spent, most of it.

10,190. Has it been paid off?—Yes.

10,191. There is not an annual payment from the Dock Board now?—No. Our public buildings have been to a certain extent paid for out of it; a good deal of it has been spent, probably in the purchase of land and property.

10,192. There is very little of the debt remaining?—There is none of the debt remaining. We have 345,000*l.* in personalty invested.

10,193. There is nothing paid by the dock to the town, is there now?—Well, there is some in the shape of interest on bonds.

10,194. (*Chairman.*) You have re-invested in dock bonds part of what you have received from the dock?—Re-invested some; the Dock Board have bought property from us and we did not want the money; we allowed the price to remain, and they pay us 3½ per cent. On the committee's work I may say this, that all proceedings of committees come up for confirmation by the Council every month, and the Council are informed what the committees are doing by the Town Clerk having to publish every week an epitome of the proceedings of each committee. That is a sort of illustration how we do it (*produces copy of epitome*).

10,195. (*Lord Farrer.*) This is weekly, is it?—These are sent out every week; and the information is short, because the object of it is, not to say exactly what is being done, but to give sufficient notification of the subjects dealt with to put anybody on inquiry if they think it is a subject they are interested in.

10,196. This does not come up for confirmation by the Council; it is information?—The epitome is simply for information. At the monthly meeting of the Council the proceedings of the committees come up for confirmation or disapproval. By the Standing Orders, certain subjects dealt with by committees have always to be placed on the Council summons, that is to say, noticed on the Council summons.

10,197. Now what sort of subjects?—For instance, no committee can accept a tender over 25*l.* unless the fact of their acceptance of the tender is placed on the Council summons—matters of that character.

10,198. (*Mr. Smith.*) By byelaw?—Yes, by one of our Standing Orders.

10,199. The appointment of officers?—The appointment of officers and increases of salaries recommended.

10,200. (*Lord Farrer.*) How far down does that extend; to the appointment of workmen?—No, the appointment of an officer of over 104*l.* a year. I think the limit is 2*l.* a week. That is the form of our Council summons (*producing one*).

10,201. (*Chairman.*) Dealing with real estate?—No; we never notice anything either on the epitome or on the Council summons in connexion with a negotiation. It is not mentioned until it is completed. Then the Council take the special matters on the Council summons into consideration, and always have to pass a vote on each subject.

10,202. (*Lord Farrer.*) Are these things put individually to the Council?—Yes, and a vote is taken.

10,203. The Chairman proposes that No. 1 be agreed to?—The chairman of the committee then would read out No. 1. He would then explain it. The deputy-chairman seconds; and if any members have anything to say they get up and have a discussion, and then they vote upon it. All the work done by a committee which is not mentioned in the Council summons is included in the last recommendations, namely, what they call general proceedings; and then there is a resolution proposed by the chairman of the committee that the general proceedings of the committee be approved. That, as a rule, goes through without question—unless some member of the Council wishes to ask a question of the chairman, or he says, "I disapprove of the confirmation of" some one or other resolution "passed by the committee."

10,204. That is something or another that he has had the opportunity of learning out of this paper,—out of the epitome?—Yes.

10,205. (*Chairman.*) Would a member of the committee who was in a minority on the committee ever bring it before the Council?—Yes; that is done sometimes; and I think it is done too much sometimes. If a man is beaten in committee he then raises a discussion in the Council. It is right in certain cases; but, as a rule, I think if there is a large majority in a committee of one way of thinking the minority ought to abide by it.

10,206. Do the Council discourage that action?—I do not think they discourage anything that means discussion.

10,207. Do you find that that provokes a good deal of discussion—bringing up the minutes of every committee at the Council meeting?—Yes. But, at the same time, I think it is beneficial. It is better that the work of the town should be known to the members of the Council generally, and that they should not be taken by surprise, and find out that something was being done of which they did not know.

10,208. (*Mr. Smith.*) You know that our practice in Birmingham is never to submit the minutes themselves to the Council?—No.

10,209. We have a report founded on the minutes, of such matters as fairly arise out of the minutes; but we do not bring the minutes themselves for confirmation?—I thought under the Municipal Corporations

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Act all minutes of proceedings of committees had to be subject to the confirmation of the Council.

10,210. We have never done it in Birmingham?—No; I do not quite know how you carry it out.

10,211. (*Lord Farrer.*) Now, here is a recommendation: "That the wages of able-bodied sweepers, "borough closet-men, and cart followers be 3*s.* 6*d.* "a day, and that instead of old or infirm men being "discharged, the superintendent be empowered to "keep them on the staff at a lower rate of wages." Would that raise considerable discussion in the Council?—Oh, those are the sort of things we discuss for hours. It has a very curious bearing—a discussion like that has—upon this question of expenditure and estimates. The men that you would naturally imagine would be economists would vote for an increase of the estimates for the purpose of carrying out some purpose, having in view such a resolution like that.

10,212. (*Chairman.*) It is possible to move increases of the estimates, is it, in the Council at large?—Yes But I have never known it done unless it has been done with the sanction of the chairman of the committee having control of the estimates, and it has been because probably something has been overlooked or omitted.

10,213. (*Mr. Smith.*) They seldom object, I should think, to have their estimates increased, do they?—Well, I do not think committees are desirous of spending money, they only want to spend that which they think is necessary. I mean to say, I think you have quite as much economy exercised in our committees as you do in the Council as a whole.

10,214. (*Chairman.*) You do not have motions made in the Council as a whole to increase the estimate of a particular committee on the ground that that committee is starving its workmen or conducting its works in an inefficient fashion?—No; I have not known a case of the kind. I do not recollect one. As a matter of fact, every estimate has a good margin in it. Take, for instance, our rates this year. We estimate that so much money is required, and we want a rate of so much in the pound. Really, as a matter of fact, we estimate that there will be a surplus of 30,000*l.* upon that rate at the end of the year.

10,215. (*Lord Farrer.*) So that the expense is well within the estimate?—You must have it; if you are to conduct your banking business properly, you must have a bank balance at the end of the year sufficient to carry you over the first two or three months of the next year, to prevent you overdrawing your account. It takes you about six months before you get any rates in, and you must have money in the bank for the ordinary expenditure till the new rates can come in.

10,216. (*Chairman.*) I rather gathered from what you said, that the sanction by the Council of the estimates in the first instance refers rather to the amount of rate that has to be raised, than to the particular payments that are made by the committee; but so far as I can see from this, the committee go to the Council for authority for each separate item of expenditure afterwards?—When the estimates first come before the Council it is purely and simply to consider the items of expenditure without reference to the amount of rate that it would be necessary to make. When the Council have considered what work ought to be done, and what work ought to be specially done, it then goes back to the Council to determine as a matter of course what rate should be levied; the only point that can be discussed really on the question of the amount of rate is whether it shall be, we will say, 2*s.* 4½*d.*, for the sake of argument, or 2*s.* 5*d.*, whether it would be advisable to put the extra halfpenny on to have a little extra margin, or whether it would be perhaps better to take the halfpenny off for the purpose of a reduction of the rate.

10,217. The question I asked had reference not so much to the amount of the rate as to the nature of the control exercised by the Council over the expenditure of the several committees. The sanction of the Council being given to the estimates, are the committees at liberty to expend within the estimate without coming again to the Council for sanction for each item of expenditure?—To a certain extent they are,—in this way. When the Council have approved all the estimates, and the rate is ordered to be levied, then the Council subsequently pass a resolution placing at the disposal of the committee the total sum of money allotted it by the estimates. Then the committee have to carry out their work. We will assume that there is some item of expenditure in the shape, say, of doing some repairs or laying some water pipes—something of that character. The engineer would bring up a report giving an estimate of what the expenditure was going to be, showing how he proposed to carry it out. Then the committee would authorise him to obtain tenders for the carrying out of the work. Then if the tender was over 25*l.*, it would go, as a matter of form, on the Council minutes—the acceptance of the tender.

10,218. So that comes before the Council?—That comes before the Council.

10,219. Although it may have been provided for in the estimate which was sanctioned by the Council at the beginning of the year?—Yes, certainly.

10,220. The individual item comes before the Council?—It is quite possible, and has sometimes occurred, that, although the Council may have approved of the expenditure of a certain sum of money in the estimates, it is not considered as binding on the Council to carry out that work. When it comes to the point of carrying the work out, the Council may reconsider their decision, and say, "We will not have "it carried out this year," or, "We do not think we "will have it done." So that the mere approval of estimates does not mean a direction that the work should be commenced and carried out.

10,221. And the committee does not carry it out without coming to the Council again for special sanction?—Yes; it always comes under the review of the Council every month. That is one of the advantages, I think, of having the committee's proceedings reviewed by the Council every month.

10,222. Does everything come before the review of the Council, or only the items involving contracts of 25*l.* and upwards?—You see the whole of the committee's proceedings come under the review of the Council.

10,223. Yes, but they are lumped under the word "General proceedings"?—"General proceedings." But as every councillor has notice in the epitome, everyone can see what is going on, and if they object to an expenditure they can stop it. There is constantly an estimate for work put in which is never carried out; it is renewed year after year.

10,224. (*Lord Farrer.*) The point I wanted to get at was to see at what point the sanction of the Council is really given to the appointment of a particular man, or any other expense—the purchase of a horse, or the providing of provender, or anything else, or the executing of a particular repair?—That would come under the head of general expenditure, and in that case the Council would not interfere.

10,225. I want to learn, if I can, how you draw the line between those cases in which the special sanction of the Council is wanted for the item, and those in which it is not?——

10,226. (*Chairman.*) You had better take a special case. Here you have got the Health Committee, which reported an ordinary expenditure of 150,000*l.*?—Yes.

10,227. That ordinary expenditure was approved—that total?—Yes.

10,228. Now look at the items of that. Can you tell us what items would have to come up singly afterwards for approval?—Well, when the Health Committee have this sum of money placed at their disposal, they are authorised to spend on these different items sums not exceeding the amounts set out in the estimates.

10,229. Does that mean 150,000*l.* in gross, or the separate items?—The items. They must not take 5,000*l.* off one item, and put it on another. They are

bound to stick to what they put opposite each item, unless they come to the Council for a supplemental item for that purpose. Suppose it was necesaary for them to obtain tenders to carry out a work exceeding 25*l.*, it would be necessary for the committee to put the acceptance of that tender on the Council's summons. To that extent, therefore, the Council really have brought under their review the work that is going on.

10,230. Suppose they bought a steamroller?

10,231. (*Lord Farrer.*) Without a tender?—That would not go on the Council's summons.

10,232. (*Mr. Smith.*) The engagement of men when it is more than 2*l.* a week?—Yes, but that means when you engage men on the permanent staff as clerks.

10,233. (*Lord Farrer.*) What does that mean—with a pension?—It carries with it a superannuation scheme now. We have a very good superannuation scheme in Liverpool.

10,234. (*Chairman.*) In the engagement of week-paid men, it would not come before the Council?—That does not come before the Council. For instance, the numerous men who are engaged in what you call the scavenging department, keeping the streets clean and night-soil work, and things of that character.

10,235. (*Chairman*) Suppose you put on an unusual number of men at any particular time of the year to clear away snow or anything of that kind?—No, the head of the department has to find those men and take the responsibility of appointing them and dismissing them; and there is always a sum of money put in the estimates for a contingency of that kind.

10,236. (*Lord Farrer.*) The rate of wages does not come before the Council?—Yes; as you see there, their wages have been raised—I think by 6*d.* a day.

10,237. The committee would neither raise nor diminish the wages without coming to the Council?—Yes.they would, but then there is sure to be somebody in the Council who would take notice of it if they did.

10,238. So that it is practically brought before the Council?—Yes.

10,239. Supposing they wished to give a gratuity or a superannuation allowance to a man who has been in the service of the Council, does that come before the Council?—It depends upon the position of the official retiring. The Corporation, under the Act of 1882, took power to do legally what they used to do illegally—that is to say, to grant superannuation allowances or to make a grant to the widow of any officer dying in the service. What they used to do previous to that Act was, when a man got too old to be able to carry on the work of his office properly, they generally appointed a deputy to do all his work, leaving the head of the department to continue receiving his salary, nominally holding the office—simply because they could not ask him to retire, because they had no power to grant a pension. So that the result was that they had in their service a number of men, nominally heads of departments, who practically did no work, and by old age or infirmity were incapable of doing it. Well, of course that was a bad system, and it did not work well at all. Then, last year, the Council arranged a new superannuation scheme; and the main features of it were these: first of all, to give officials confidence in their position, and to encourage them to stop in the service rather than go away to other towns, and in order to do that to require them to subscribe to a superannuation scheme, to enable them, after they have served faithfully for over 25 years, and are 60 years of age, to be able to demand their superannuation—not to be obliged to depend upon the favour of the Council. That we felt gave us a position which we ought to have—if we work hard for 25 years, and have arrived at the age of 60, we think we were entitled to be independent of the caprice of the Council, who may happen to know nothing of our past work, or might be actuated by considerations which would be very unfair to us. The Council quite agreed to that. Well, then, on the other hand the Council desired to make it perfectly clear that they would not continue a man in the service after he ceased to be capable of fulfilling the duties of his office, or in case they found he had been appointed to an office that he was incompetent to fill; and consequently provision was made that the Council could require any official in the service to retire, but if they did, he should be entitled to take up the money that he put in the superannuation scheme, or in case they find that an official is infirm or from sickness is incapable of doing his work, they can allow him to retire, or they can ask him to retire, and give him his pension—the idea being that you shall always keep up the standard of your official staff, and at the same time give the officials confidence that they will be treated properly and induce them to remain in your service.

10,240. (*Lord Farrer.*) The staff pay something?—Three per cent. of our salaries, and the Council guarantee the pensions.

10,241. Guarantees pension without any deduction from wages?—We pay 3 per cent., and the Council guarantee the balance whatever it may be.

10,242. (*Mr. Smith.*) That is much better than the Council also putting in a certain sum; because that is a waste of money owing to the funds accumulating?—Yes; we went into that question, and it is impossible to find out what sum of money the Council ought to add to make a good superannuation scheme, owing to the different ages at which men enter the service, and the different circumstances connected with the matter; and what has been done is that the Council have agreed to take 3 per cent. from us, and to guarantee these pensions whenever they become payable, and the officials, in addition to that are all required to show that they have insured their lives to the extent of 2 per cent. of their salaries.

10,243. (*Lord Farrer.*) Privately?—It is an understanding; you have to show that you have insured your life to the extent of 2 per cent. of your salary.

10,244. (*Chairman.*) Does that involve a growing charge on the Corporation?—It will be no doubt in future. Of course as men retire the pensions will have to be paid. But I do not look upon it myself as a loss at all. I think myself it is the most economical system that the ratepayers could have.

10,245. I daresay it is. But it does involve this that until a certain time in the future has arrived the charge would go on increasing; then it will reach a maximum at which it will probably be stayed?—That would be so.

10,246. Does the Corporation in view of that take any step to equalise the charge?—No. It lets each year bear its own burden.

10,247. It does not attempt to make a reserve fund?—No; it is practically another way of paying salary.

10,248. It is a thing that involves a charge upon the future, greater than is borne by the present?—No doubt that is so.

10,249. (*Lord Farrer.*) You are drawing a bill on the future for present wages?—Yes; but you may also say this—that you are probably at the present time paying for a considerable number of officers, and you are paying probably——

10,250. (*Chairman.*) For the past?—Really on the whole higher salaries, because a scheme of this kind has not been carried out years ago.

10,251. (*Lord Farrer.*) How far down does your superannuation scheme go?—Does it go to men who are employed at weekly wages?—All men appointed in an established capacity; it includes everybody except daily labourers. It would include, for instance, the water inspectors.

10,252. But not actual day labourers?—But not actual day labourers. It includes every clerk, no matter what salary he has.

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10,253. (*Chairman.*) Another question with respect to that. I observe, looking at these minutes, that the committee would not, in an ordinary way, ever come to the Council to raise this question of wages. There were resolutions arrived at by the committee and reported to the Council in reference to a resolution of the Council itself.—That may have been so in that case.

10,254. No. 8—I had better read, which is "Report "pursuant to the resolution of the Council of the "13th December 1893, with reference to Mr. Kelly's "motion:—That the subject of appointing daily "servants in an established capacity at weekly wages, "in order that they may participate in the benefits of "the Superannuation Clauses of the Liverpool Cor- "poration Act, 1893, requires much consideration, "and the committee will report upon it at as early a "date as practicable, but they consider that they will "meet the wishes of the Council by reporting without "delay upon the question of wages;" and then No. 2 goes on with that report about sweepers which was quoted. So that these reports are not brought up, as it might be in another place, in regular order before the Council, but they have been meetings in pursuance of a resolution of the Council?—That particular one, yes.

10,255. (*Mr. Smith.*) I was going to say, Mr. Clare, I wanted to know about these monthly minutes of the Council and the committee. You have just been carrying out a great water scheme for Liverpool. Did you report monthly such items as the amounts you paid for land on that scheme?—We do not report to the Council and call their special attention to it.

10,256. You put it on your minutes?—Well, no—the head of "General proceedings" includes every- thing that is entered in all the minute books of these different committees. I do not suppose one man in a thousand ever reads them.

10,257. That may be. But supposing some ad- joining landowner wanted to know what somebody had been paid for land, you could not keep it secret under your system?—No; you cannot really.

10,258. Is not that a great disadvantage?—Well, what we do practically is this—that many of these negotiations are not put on our proceedings in such a way that anybody can understand what they mean.

10,259. That I can quite understand?—For in- stance, on the question of buying property, and things of that character—carrying out a water scheme—it would probably be referred to some sub-committee to negotiate and carry all the things through. It may be a long time before their proceedings come up for confirmation by the original committee.

10,260. Then your report of the minutes to the Council monthly is in that case more honoured in the breach than in the observance?—Yes. Suppose, for instance, you want to carry out a thing and you do not want it to come before the Council till it is finished, the best way to do is to appoint a sub-committee to consider and report; therefore any meetings of that sub-committee do not come up for confirmation by the general committee until they submit their report, even if they do not submit their report till they have finished.

10,261. Do you not think that my plan of delegation of the fullest kind of the powers of the Council by a special Act to committees of the Council is the better way of dealing with it?—I quite agree that on the question of the purchase of property the only way in which it can be carried out with the best advantage to the ratepayers is to refer it to one or two members of the committee, and for them to buy at the best price they can and ask no questions.

10,262. So as to avoid that monthly bringing up to the Council that you have just mentioned?—Any- thing in the shape of negotiations never comes on the summons.

10,263. Suppose negotiations were on foot for 50 miles of aqueduct, and you have to pay so much a yard run for easement, you would not think it wise, in carry- ing that out, to publish monthly the sum you had paid for easement?—No, we should not do it, because it is simply by an agreement which has not been com- pleted. There has not been a conveyance.

10,264. You must be complete at one end of your aqueduct before you finish the other?—Yes there is no doubt about it; it would be possible, as you say, for a neighbouring landlord to find out what you paid, but I do not think we, as a matter of fact, experience any difficulty in that way.

10,265. But you may have paid a good deal more for your property in consequence?—I do not think so, because what you would do in a scheme of that character —what the Water Committee did—would be to lay down a sort of general principle to act upon and keep as near as you could to it with each man.

10,266. Go to arbitration if you could not get your own way?—The risk of going to arbitration would be getting a bad verdict against you.

10,267. The same disadvantage of publicity that I suggest you get in your monthly minutes?—I never go to arbitration unless I have got a very good case; anything doubtful I would not arbitrate upon because you run the risk of getting a bad award. It would be a precedent that would make everybody's mouth water.

10,268. Does it not often happen that you have to make a bad precedent against yourself in some parti- cular negotiation which you do not want published for the sake of getting over some particular difficulty? —Well, as matter of fact, it does not get out.

10,269. Does it not?—I do not think so.

10,270. I am afraid we are more inquisitive in Birmingham?—What I find is this—that the solicitors in the country acting for these different people let it be known that they have made some extra good bargain, and I think possibly not altogether without having in view the possibility of other men going to them.

10,271. Now would you report all such things as the costs of legal proceedings to your Council every month; arbitrations, for instance, or would you simply state that an arbitration had been held?—Oh, no, those are not reported to the Council in any sense in the way of bringing it under the notice of the Council. What would happen would be this, if there had been an arbitration I should report the result of the arbi- tration to the committee some weeks afterwards. I should submit to them a taxed bill of costs which I would ask to be paid. They would simply pass a resolution authorising the costs to be paid. It is open to any member of the Council who has seen that resolution or knows about it to ask a question about it or raise a discussion about it in the Council. But we do not find it is so as a matter of fact.

10,272. (*Lord Farrer.*) In any important scheme in the town, do you bring before the Council every item of purchase?—Not until it is completed; we do not put them on the summons or the epitome either. What I do is this: the committee, for instance, is negotiating to buy property; I do not put anything on the sheet about it until the thing is completed. We exercise our discretion as officials, and, with the sanction of the chairman, as to bringing matters before the committee which it is inadvisable that they should discuss at that particular moment.

10,273. (*Mr. Smith.*) Did you pay a commission to your engineer in carrying out your scheme—the water scheme—was he paid by commission?—Our engineer, no; Mr. Deacon was paid 1,750*l.* a year.

10,274. That was a salary, but you had no engineer except Mr. Deacon, after the battle with Mr. Hawksley?—No.

10,275. Mr. Hawksley was not to be paid by a salary, was he?—No, he was paid by commission.

10,276. He would have been paid by commission? —Of course, any outside engineer must be.

10,277. And would you think it desirable to publish the amount of that commission?—No, but as matter of fact it is published in this sense, that the resolution of the committee approving the agreement would be subject to discussion.

10,278. It would under your system?—It would under our system.

10,279. Do you know what was done in Manchester—that a very satisfactory arrangement was entered into with Mr. Hill, the engineer, but by distinct agreement with him was not published?—If I recollect, I do not think the agreement with Mr. Hawksley ever came before the public at all until we had the arbitration on it.

10,280. (*Lord Farrer.*) Here is a recent case in the London County Council, and I should like to ask you whether you would put that on your minutes. It relates to the Blackwall Tunnel, and the recommendation from the Bridges Committee is "That subject to an estimate "being submitted to the Council by the Finance "Committee, as required by the statute, the claim of "J. Killbe, amounting to 203*l.* for the yearly tenancy "and trade interest in number 1, Providence Place, "Greenwich, be settled at the sum of 150*l.*, with "one surveyor's fee, and that the valuer be authorised "to prepare and issue the usual contract"; would an item of that sort, in an important scheme, come in that form before your Council?—No, not on the summons; it would simply come under the head of "general proceedings," and would be confirmed if the general proceedings were confirmed.

10,281. But it would not come as a specific resolution to be passed by your Council?—Oh dear, no. I have had an immense amount of arbitrations and of purchases to carry out, and I do not find there is any practical inconvenience from our system of working.

10,282. (*Chairman.*) Proceeding with your work, you have lists of contractors?—Yes, we had a great deal of trouble in carrying out our contracts, owing to this notion that you must always accept the lowest tender, and always advertise for tenders, so a committee was appointed a few years ago to inquire into the question, and they came to the conclusion that the system was bad in this sense, that we often got men tendering who really were quite unfitted to carry out the work, but as long as a man tenders at a much lower price than anybody else, you are practically bound to accept the tender unless you know some good reason for refusing it. And you cannot find out really what the financial position of a man is until you give him his work; so they decided that they would have what they call a list of Corporation contractors, and in 1891 they issued advertisements, asking contractors to send in their names, and to state the particular class of article they were willing to supply and the particular class of work they were willing to do, and without mentioning any figures or giving any prices at all. Then we prepared a list, under different headings, of men who were willing to tender for these different classes of work or different classes of articles. Before those men were put on the list, inquiries were made both as to their respectability and also as to whether the articles they proposed to tender for were such as we might expect them to supply, of the best quality and so on, and the list has been made up, and from time to time fresh names are added to it. Well, then, if a work is to be carried out, and the engineer is instructed to get tenders, he writes to the contractors whose names are on the list for that particular class of work, asking them to send in tenders; he does not advertise any more in the newspapers; we have decided all that now. He simply writes a letter and asks these men to send in their tenders; then the tenders are opened by the committee, and sometimes the lowest, as a rule the lowest, is accepted, but not always.

10,283. Accepted by the committee, or does that come before the Council?—The tender is accepted by by the committee, and then if it is for over 25*l.*, notification of it has to be put on the Council's summons.

10,284. But the tenders are opened in the committee?—The tenders are opened in the committee.

10,285. And a decision come to by the committee upon them?—Yes, the tenders are put into a box, and opened in the committee-room; they are never allowed to be opened by an official before the committee meets.

10,286. (*Chairman.*) What is the process of putting a new name on the list?—If any contractor wants to be put on the list, he writes and asks to be put on the list; if it is in the engineer's department, the application is referred to the engineer, and he may report that the applicant is not entitled to be put upon the list, as he may be nothing else but a commission agent, on the other hand, the engineer may report that he is a respectable man, and fitted to supply the goods, and therefore he should be placed upon the list.

10,287. Is there any periodical invitation to apply to be placed upon the list?—No, it has been done once for all, and we are not going to do it again.

10,288. The application must be made by persons who wish to be appointed contractors?—They must write and ask.

10,289. Responsible and capable persons are well aware that they can write with the possibility of being taken on?—Oh, yes, there is hardly any question of a respectable man being put on for the business that he ordinarily carries out, and then there is one thing about this list, which is that, as I say, we get men fitted for each class of work tendering, instead of smaller men, who are trying to do a job on commission, or are not in the business at all, and then if we have any contractor who does not carry out his work properly, we strike him off the list.

10,290. (*Lord Farrer.*) Do you confine it to the ratepayers of Liverpool?—Oh, dear no; some tried to do that, but it cannot do that.

10,291. You have thrown that over?—Oh yes, it was nonsense.

10,292. (*Mr. Smith.*) You want the best thing, not the best Liverpool thing?—It is the duty of the committee to carry out the work in the best way, and in the cheapest way they can, consistently with efficiency.

10,293. Is there any clause in the contract that the contractors shall pay the standard rate of wages?—They have a clause which practically carries that out.

10,294. They have to declare that they pay the standard rate of wages?—That is usual in all the contracts we have, but special work not in the nature of an ordinary contract is not subject to those provisions, and a good deal of our work is done under those special contracts.

10,295. (*Chairman.*) Is any complaint made of their omission?—No; for instance, all our waterworks works are being done under these special contracts, as where you have work of an important character, such as building masonry embankment constructing tunnels, and things like that, you must get men in whose work you have confidence, and men capable of doing it properly.

10,296. (*Mr. Smith.*) Some of these men will not have these conditions imposed upon them?—Some of these men are not on this list, and we have to invite men specially fitted for this class of work.

10,297. Not many people can drill a tunnel through a hill with a diamond drill; I suppose very few men can do that?—No, and the Committee is not bound to the list for that special kind of work; they can go wherever they like, and they do for any special work, and perhaps invite half-a-dozen good contractors to say what they will do it for.

10,298. (*Chairman.*) All these special contracts for this special work, the standard rate of wages clause is not inserted in the contract?—No, because in some cases it is impossible of application. Of course, in many cases there is no such thing as a standard rate of wages; take for instance, if you want a picture painted, there is no standard rate of wages for that.

10,299. (*Lord Farrer.*) And when there is no such thing as a standard rate of wages, do the Liverpool Town Council undertake to fix a rate of wages themselves?—They never interfere with the question as between the contractor and his workmen.

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10,300. They do not?—Excepting to the extent that I say, it is inserted in the contracts which are of the usual character.

10,301. The standing contracts for ordinary services?—In the contracts for the ordinary services the standard rate of wages clause is put in.

10,302. They do not undertake to fix the rate of wages themselves when there is no standard rate of wages?—No, they have no right to fix what the contractors shall pay.

10,303. (*Chairman.*) Do you do much work yourselves?—Yes, a great deal, almost all the city engineer's work is done by men directly employed by the Corporation—all the scavenging work, and the street cleaning is done by men directly employed by the Corporation.

10,304. (*Lord Farrer.*) "Engineer's work," what do you mean by that—construction of sewers?—The construction of our sewers is now entirely done by the Corporation themselves.

10,305. By their own men?—They had such a cruel experience of doing the work of sewering by contractors that they have given it up. You see in the case of a sewer the work is covered up and you cannot tell quite what a man has been doing when you are not there, and we found that some years ago a large number of the sewers in Liverpool were defective, and when we opened one or two sections of them they found this had occurred; the sewers had to be constructed by the contractor in the sandstone rock chiefly, and it was to consist of a brick-lined sewer lined with two courses of brick, and be well puddled at the top between the brickwork and the stonework. What happened was this, that whenever the inspector came round or the clerk of the works to watch the contractors, they found the two rings of brickwork going on very well; as soon as the inspector went away—I do not know whether he and the contractor used to dine together or not, or what it was—when the inspector went away the second ring of brickwork was left out, and we found the sewer constructed of one ring of brickwork during the absence of the inspector, and two during his presence. The second one was just put in for him directly he came, then directly he went away again, only one ring was put in again, and so the sewer got weak.

10,306, (*Mr. Smith.*) That would show that his visits were very regular and that they could be calculated?—You could trace the visits of the inspector by the double rings, and they found it was false economy allowing work of that character to go on, so all the work is done now under the direct supervision of the engineer himself.

10,307. All the sewers?—All the sewers.

10,308. (*Chairman.*) Is the amount of work done by the Corporation yearly increasing relatively to the total amount of work done?—No, the work to which this specially applies is now to a large extent completed. Our sewage scheme is complete as a system; the whole of the sewers in the old parish of Liverpool have been constructed, a large number of the sewers outside the parish have been reconstructed, but still there is a good deal of work of reconstruction of sewers to be done, but nothing like so much as has been done in the past. Well, then our street improvements have been completed for some time to come, I think.

10,309. Out of the work that has to be done, is a larger share than formerly done by yourselves?—I forget when it was we commenced doing the sewer work ourselves, but it is a good many years ago, and the streets are all constructed by the Corporation themselves, that is by workmen directly employed by them—all the street paving work. The waterworks were largely constructed by the Corporation.

10,310. (*Lord Farrer.*) Directly?—Directly; for instance, the Vyrnwy dam and the construction of the Lake were all done by the Corporation themselves; a portion of the pipe laying work was done by the contractors.

10,311. Have you any factory of any kind?—No, I do not think we shall have. No, the Corporation so far have been very careful not to use the rates in unfairly competing with private enterprise. Take, for instance, the case of the Insanitary Property Committee, which pulled down a great number of insanitary houses and cleared the land; the committee invariably do their best to sell the land at a reasonable price to a builder before they think of entertaining the question of building themselves.

10,312. Have they lodging-houses of their own?—They have artizans' dwellings and houses, but they have not any municipal lodging-houses; not in the sense that they have in Glasgow.

10,313. Belonging to the Corporation I mean?—They have some working-men's dwellings but not lodging-houses in the ordinary sense of the word.

10,314. (*Chairman.*) Were these working-men's dwellings part of an improvement scheme?—They have all been carried out under a private Act we had for dealing with insanitary areas or else under the Public Statutes, and a great deal of very good work, indeed, has been done by this Insanitary Committee in a quiet way; they have not gone at it spasmodically. Every year they have pulled down a certain number of houses and spent a reasonable amount of money in doing it, and the effect of it is that we are gradually getting rid of the insanitary houses, and at the same time not doing it in such a hurry as to displace the population and create an inconvenience in that way. We do not want to drive the people out of the old city all together; we should rather prefer that they live in sanitary houses inside the city.

10,315. (*Chairman.*) But the cellar population is diminishing?—I think at the present time hardly any cellars are occupied as dwellings.

10,316. (*Mr. Smith.*) There is an absolute prohibition, is there not, in the Public Health Act of a cellar dwelling?—Yes, but is there not something in the Act in the nature of a description of what is a cellar dwelling? If the windows come a little bit above the street, it does not come under the description of a cellar dwelling. We are getting rid of insanitary property quietly in Liverpool there is no doubt.

10,317. (*Chairman.*) Perhaps you will tell us something of the relation of your own office to the other branches of the work of the Corporation?—Well, sir, there is of course the Town Clerk, who is the head of all the official staff; then there is myself—I am the deputy; and we have a varying number of assistant solicitors. I think there are about four or five at the present moment in the office, each of whom specially attends to some particular department and generally attends to anything else when wanted. And then there is, of course, the water engineer, the city engineer, the medical officer of health, and the Corporation surveyor, and the treasurer, and the auditor, and heads of other subsidiary departments, all having their separate staff under their control, and each of whom have to attend the committees which have control of the work of those different departments. But the Town Clerk attends every committee either in person or by deputy, and the heads of all these departments, whenever they have any important work, always confer with myself generally upon the subject.

10,318. Do you attend a large number of committees yourself?—Yes, I attend them whenever I can do so. If there is anything important coming on before the committee—of course I see the sheet—I attend myself, but an assistant solicitor is always present.

10,319. Are your assistants allotted to special committees?—Yes, practically. I always try to attend the Finance Committee and the Water Committee if I possibly can. I think it is an extremely good thing for the Corporation's service to have one man at the head of everything, who should have a sort of general supervision and control of the whole of the business of the Corporation. The result is that when the head of one department, say like the engineer, comes with

some scheme in connexion with engineering and confers with you, you may be able to point out to him that in some way or other he is affecting another matter which is in another department, which did not occur to him probably at the time, and so on. And then there is the question of the general policy of doing this, that, and the other, and when it shall be done, and the Town Clerk practically in that way forms a sort of nucleus there, to which all the other officials come, whenever they want any advice or assistance. Then, in addition to that, the chairmen of committees confer with the Town Clerk or myself on matters of any importance before the committees meet, and we discuss the subjects together and decide how the thing should be done and what ought to be done. Then the result of it is that when matters come before the committee the chairman and officials are usually of one mind as to what is the right course to pursue with regard to any particular matter; and in that way you get, I think, a very good administration, because you do not get the chairman coming in unexpectedly on a matter of which he knows little or nothing, and taking a different view to that of the officials who are advising the committee.

10,320. You think it important that the hierarchy of officials should be brought to a head under a permanent official, not under a member of the Corporation?—Oh, I am strongly of that opinion myself. I do no not see myself how work could be properly done unless there is really a head of administration of that kind.

10,321. But must the head be a professional permanent person, or may he be a vice-mayor?—Oh, he must not be a man subject to political influences, otherwise his judgment is bound to be warped at some time or other. Well, I mean to say I should be very sorry—I know myself I should be put into very great straits, if I thought I had to be turned out next November, in acting upon some of the subjects I have to deal with. No, I think myself that the Town Clerk ought to be absolutely independent of all political influences. Every clerk ought to be so, I do not care who he is.

10,322. That is admitted, but should the Town Clerk be the head of all the organisation, everything coming to him?—I think so.

10,323. Or should several heads be united together under a possibly transitory member of the Corporation?—You see a Town Clerk's business is, of course, to start with, theoretically legal, but practically technical law is a small part of his real work. His real work is to endeavour to give the best advice he can to anybody, whether it is a member of the Council or an official on questions either of policy or of law, and it is highly desirable when you are discussing questions of policy affecting a large administration that the man who is going to advise you should have a general grasp of the whole administration, and not be limited to some particular department.

10,324. If Liverpool grew to be six times as big as it is, would your view still remain unaltered?—I think so. The increase of size, to my mind, is simply an increase of detail, and not an increase you may say of subjects or principles.

10,325. You would not have an organic change in your constitution?—No, I think not at all.

10,326. (*Lord Farrer.*) Are you obliged now to have anything in the nature of local committees, or district committees, to deal with particular parts of Liverpool, or are you able to keep all business of one kind under one Central Committee?—At present we do it all by committees sitting in the municipal offices. We have no what you call district committees. I do not know whether this extension that we are now carrying out will make it necessary for us to have district committees, perhaps it may; that we shall find out by experience. But I do not see myself that there is the slightest difficulty in arranging for the government of a much larger area, if it was necessary by this system of what I may call district committees for carrying out works which are of a purely local and district character.

10,327. (*Chairman.*) The matter of paving is managed by one committee for the whole of Liverpool and will be?—It will be in future, I think; you want the general policy at any rate to be laid down by the head administration, whatever it may be, and then to see that it is carried out properly in detail it might be referred probably to district committees.

10,328. (*Mr. Smith.*) What will the area of your enlarged city be supposing you get your provisional order?—It will be about 13,000 acres.

10,329. About the same as Birmingham, we are over 12,000, I think?—This is the extension, we are taking in the yellow and this, and that, and that (*pointing to the plan*).

10,330. (*Lord Farrer.*) How far do you go?—To this red line. We were going to take the whole of Everton, the whole of Toxteth.

10,331. (*Mr. Smith.*) With the exception of Bootle on this side of the river, it is a very complete extension?—Yes, but Bootle is the defect; I hope they will ask us to take them in soon.

10,332. It is a plan you would not be anxious to see perpetuated or rather established elsewhere?—In my experience I do not know any provincial town or any provincial community which would not be better governed under one administration than it would if cut up.

10,333. (*Chairman.*) I suggested the case yesterday of Manchester and Salford?—It would be very much better under one administration. The more you multiply administrations the greater must necessarily be the cost, to start with. Then you get a community probably which ought to have a common interest separated by having different local governing bodies and those bodies may live quietly together, but very often they hamper one another probably by jealousies or local considerations which would be removed if it were all under one control.

10,334. There must be expense, there may be friction?—There may be friction and there is always inequitable rating.

10,335. (*Lord Farrer.*) Still there is a limit to that: a place may become so big that it would be impossible for the central government to do the whole of the details throughout the whole of the area; for instance, in London?—I quite agree that it would be impossible for the central body to carry out the detailed work, such as the management of streets and sewers, and scavenging and cleaning out ashpits and things of that character; but I fail to see why there should be any difficulty in one body having control, for instance, of the infectious diseases hospitals over any area, the lunatic asylums, the main sewage system.

10,336. Or water?—Or water.

10,337. Gas?—Yes, and the carrying out of street improvements ought to be done for a whole community, not in sections; and I think myself I do not see the slightest—I do not mean to say there is no,—difficulty, but I think as a matter of principle the rating area ought to include the whole community. If you cut up one community into a number of different rating areas, you find one portion of it containing possibly all the rich and highly rateable property, and the other portion containing nothing but poor houses with poor residents.

10,338. Would you bring the richer part to help the poorer part?—Yes. I say the whole community is more or less dependent upon its different parts; and they all ought to share the expenditure equally, and the only way to do that is to have equal rating over the whole district. I will take the case of Liverpool; we have had district rating for sewering and paving purposes since 1846 till last year, when I got a single rate established by the Act of 1893. In the parish of Liverpool the special rates were very low because of the great rateable value of the parish. In the out-districts the rates were disproportionately high, perhaps three times the amount in the parish, because their rateable value was very small; the result of it being

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that work which is really wanted to be done in the poorer districts cannot be done, because it would throw such a large burden upon their small rateable value.

10,339. Then is there not a consideration *per contra*, supposing you have from necessity several local administrations; if those local administrations can have a pull upon the common purse, they are not likely to be so economical as if they have to pay all or some of their expenses out of rates levied in their own district?—Yes, I perfectly agree with that, that if you have distinct and separate local administrations you cannot have equal rating over the whole, from an economical point of view, for the reason you state, my lord. But I do not see why there should not be administration of a character which would still make them form part of the central body, and I do not see why it should not be worked in a way which would prevent that desire on the part of each district to have more money spent in its own district. If you have a body elected by the ratepayers of a large district to govern that district, if they have to get their money out of the common purse, no doubt there would be a strong effort on their part made to get as much money spent out of the common purse in their particular district in which they are specially interested, but my idea is that the way to obviate that is this, that the Management Committee or managing body whatever it may be, of the detailed work in that district, should not be composed of people elected from that district but should be composed of people elected from the other parts of the town which will have to contribute to the expense which is spent there, and if that is carried out all round the circle the result would be that you would get, I think, good administration and economical administration.

10,340. (*Chairman.*) Then your district would be managed practically by a committee of the big body, not locally connected with that district?—Well, it would be locally in this way, that the representatives on the big body sent from that particular district would be on the committee, but should not, to my mind, be the majority. I do not see why, if it becomes necessary in Liverpool when it gets so large, and we have to form these committees, why we should not delegate directly, either by the action of the Council or by Act of Parliament certain of their powers, so as not to make it necessary to get any confirmation by the Council of any work they do. For instance, in the Local Government Act the County Councils have power to delegate to committees certain of their functions without it being necessary to have the committee's proceedings confirmed by the County Council.

10,341. (*Chairman.*) That is rather a partition of power than a delegation; it cannot be resumed?—Well, it can at the end of the year, I think.

10,342. In that case there is no great independence to the body that exercises the delegated power?—I do not think that it is desirable to have too much independence. What I meant was this rather, supposing that a committee was appointed to deal with a certain district, the Council would say to that committee probably, "We have decided to spend so much money "on streets and sewers, and so on;" that money is to be handed over to this committee, and they can spend or deal with it without coming back to the Council, without having any further instructions or any further authority, and in that detailed work the committee should be independent of the central body. Whether it should be made independent by statute or by delegation is a matter of detail for consideration. But when you come, for instance, to carry out a street improvement, I think it is highly undesirable that street improvements in what is really one large town should be carried out in divisions or sections; that is to say, that no charge should be made upon one particular section of the town when practically the whole town benefits directly or indirectly by it.

10,343. (*Lord Farrer.*) Is there not a difference there, there are some streets which are of course important as thoroughfares, one may say, for the whole of the great town, there may be others which are simply openings or small streets, which are really of no advantage except to the locality itself; may that not be the case, and may there not be also cases that are partially the one and partially the other?—No doubt there are cases like that in all rating, it bears more heavily on one body rather than another. You cannot equitably adjust things to the last penny, but, speaking as a rule, all improvements carried out in a large town, directly or indirectly, benefit the whole town. Supposing you say it only directly benefits the particular property facing the street where the improvement has been carried out, benefiting that property means that new buildings are going to be erected on it, perhaps new trade springs up, new business comes on, at any rate there is more prosperity there, more men employed, more money spent, and possibly workmen attracted by the new buildings fill up an empty street of houses a mile away, because they must have dwellings, so you cannot possibly define in my mind where the benefit begins or ends.

10,344. Still, the opening of a street at Fulham will not be felt very much by the inhabitants of Blackwall?—That would no doubt be so in those particular cases, but, speaking generally, I mean to say I think myself that it is almost impossible to draw an absolute line; the fairest thing is for everybody to pay from a common purse.

10,345. You are aware of the way in which it is managed in London, that the central body assists the local bodies; they constantly say, "If you will sub- "scribe so much, we will add so much"?—I did not know that was so.

10,346. (*Chairman.*) Done by negotiation?—Yes.

10,347. (*Mr. Smith.*) You are aware, Mr. Clare, that the district boards in London are the urban sanitary authorities?—Yes, are they?

10,348. The County Council is not a sanitary authority at all?—No, I think myself that is the great defect of the Local Government Act, in that way the controlling authority ought to have absolute control over the whole policy for all these general purposes.

10,349. Yes, to some extent possibly, but do you not think that such large districts as, say, Kensington, which is not so big as Liverpool, but nearly as big as Birmingham, should have some independent local self-government?—Well—I do not know about that. Of course, if you are going to have independent self-government, you cannot have a common purse.

10,350. (*Chairman.*) You might for some purposes. Is it not better to discriminate the particular purpose, allocate some functions to the locality with some functions generalised?—That could be done of course.

10,351. What do you say, for instance, to this argument; it has been said that giving the paving to the vestry or district council of a considerable area, is a means of encouraging a certain trying of experiments in paving; new paving has been developed in one district first before it could be undertaken by a very great body having a large area. And then that example has been followed. What damage results from that kind of independence and stimulus?—Oh, none at all, that was the sort of idea I had when I suggested these district management committees, or whatever they may be called, or whatever you like to call them. Call them vestries or committees, it does not much matter.

10,352. I understood you to say that the subject should be delegated by the central authority with the possibility of resumption?—I said there should be independent powers given to these divisional governing bodies either by statute or by delegation; it is a question of detail to consider which is the better, but what I mean is that if you have bodies elected for a particular district with powers to spend money, you must limit the rates out of which they are going to spend it to that particular district; otherwise you

will find their district trying to get more and more out of the common purse.

10,353. (*Mr. Smith.*) Would it not be quite possible to have a common purse for common purposes, and a local purse for local purposes?—I think you might have it as you say, have district rates for certain purposes with a district governing body. Then have a supervising governing body over the whole to levy equal rates over the whole area for purposes which are considered of a general character.

10,354. (*Chairman.*) That is the theory of the government of London now, you may have a different division of powers in future, but that is the theory now?—Yes.

10,355. (*Lord Farrer.*) I understand the general tendency of your opinion is in favour of a very strong central authority?—Oh, I think so.

10,356. I mean that is what I gather from you generally—a strong and united general central authority?—In answering that question, I must say I do not know anything about the details of London management or government, or what is good for London; all I can say is that from my experience in the provinces I have never yet seen a town so large that it could not be governed more favourably by one central governing body than by it being cut up into several bodies.

10,357. (*Chairman.*) At the same time no provincial town approaches London?—No, sir. In the provinces we have never yet arrived at the point when that style of government could not be carried out. Of course the point must come when you cannot do everything from the central body, and there comes the question of how you are going to divide those things you cannot do from the central body.

10,358. (*Lord Farrer.*) And of course history and custom has something to do with it too?—No doubt that is the difficulty of carrying out the reform.

10,359. (*Mr. Smith.*) You have no doubt heard of the extension of an old city and the whole urban area so far as the city government is concerned?—In the provinces it has always been the desire and ambition of old Corporations to take in the people that really belong to them.

10,360. To extend their area?—To extend their area.

10,361. (*Chairman.*) That was not so in 1835. I understood you to say that the inhabitants of old Liverpool did not like the thing that was forced upon them?—I think they did not, but it was started in 1835 by Act of Parliament, and it was forced upon them. But since the government under the Municipal Corporations Act of 1835 has been in force, I think, throughout the whole country we may say that the desire of boroughs as a rule has been to extend their boundaries so as to include all the urban districts round.

10,362. We, in a belated way, you know, have to deal with something like 1835; we have got an old Liverpool with a larger income, like your old Liverpool with considerable property and ancient privileges in the centre of a very considerable area. Of course, that is the difficulty; in 1835 the City of London, owing to its exceptional position and dignity, was unaffected by that Act; there were also one or two other boroughs that were so small that they were left out of the Act, too.

10,363. Bearing in view the fact you said that old Liverpool objected to it in 1835, you cannot argue from the more recent experience of the reformed boroughs as to what would be possible or desirable in London?—No, sir; I am not arguing in favour of any scheme for London one way or the other. I am simply stating a general principle—central administration, with such subdivision as may be found necessary as the best for any one community.

10,364. You make an allowance for the Lord Mayor?—Yes, sir, the Corporation allow the Lord Mayor 2,000*l.* a year for his expenditure, and another 700*l.* a year is spent in hiring horses for the Mayor's carriage.

10,365. You have a Mansion House?—Yes, called the Town Hall; the Mayor does not reside there, it simply contains the council chamber and reception rooms.

10,366. Entertaining rooms?—A suite of entertaining rooms; the municipal offices are a separate building altogether, and the Assize Courts are a separate building altogether.

10,367. (*Lord Farrer.*) There is a great dining-room, I think?—The hospitality of the Lord Mayor is extended on many occasions to distinguished visitors and to public men in the City.

10,368. Has that allowance to the Lord Mayor ever been reviewed or is it accepted every year without question?—I think there is no question about the allowance being made; the question is, whether it should not be made larger.

10,369. (*Mr. Holt.*) It was not always 2,700*l.*; there has been a recent increase?—It has been 2,700*l.* since I have been in the Corporation, but when it was altered I do not quite know.

10,370. I thought it was 2,000*l*; 700*l.* was added on for the horse and carriage establishment?—It was so, sir.

10,371. It was in my day?—I think it was done before I came into the Corporation's service.

10,372. (*Chairman.*) Does the Lord Mayor occupy the post of being Judge of the Court of Passage?—Yes; that is an old civil court in Liverpool which was founded by charter, and the Lord Mayor is the nominal judge of it; all the writs are issued in his name, but the actual judge is the assessor appointed by the Council, and he is paid a salary of 1,000*l.* a year. The present assessor is Mr. Baylis, Q.C., who is now, by the Court of Passage Act of 1893, styled "Presiding Judge."

10,373. Strictly, he is only assessor to the Lord Mayor as judge?—Before 1893 he sat there as legal assessor to the Lord Mayor as judge.

10,374. Does the Lord Mayor ever attend that court?—No, he has not sat there since 1835.

10,375. His assessor is there, but the person assessed is not?—Well, the plaintiff or defendant is usually present, but it is a very useful Court, indeed, if we could only get it put under proper rules of procedure. The practice is dependent on old Acts of Parliament which are now out of date; it is inconsistent with the present ideas of the practice in the High Courts, and we are trying now to put it on a proper basis, and if that is done it might be an extremely useful Court, and might be carried on with great benefit to the city.

10,376. (*Mr. Smith.*) Does the assessor give judgment in his own name or in the name of the Mayor?—In his own name in delivering his judgment.

10,377. (*Chairman.*) But how is it recorded?—It is recorded as a judgment of the Court.

10,378. (*Mr. Smith.*) I mean an appeal would be against the Mayor?—No, the appeal is against the decision of the Presiding Judge of the Court. I cannot quite refer you to the rule under which it is done, but it is so.

10,379. The procedure of the Court is rather inconsistent, is it not?—The whole procedure is an anomaly, and wants rectifying, and we hope to get it done.

10,380. (*Chairman.*) What is the special advantage of this Court?—The great advantage is, it is a Court where small actions can be carried out in the city at really in many cases less cost than the County Court. In the County Court almost all the expenses are paid in fees to the Court.

10,381. As compared with the County Court it is cheaper?—In many cases, but why it is liked in the profession is this that the fees to the Court are very small, and the allowances to the solicitors are higher than in the County Court; it has a limited Admiralty jurisdiction which is very useful.

10,382. (*Lord Farrer.*) An Admiralty jurisdiction?—Yes, up to 300*l.*

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10,383. (*Chairman.*) There is a movement in favour of the fees of the County Court being reduced, in the event of their being reduced would the Court of Passage maintain any advantages over the County Court?—Yes, even then I think it would be used in many cases, it can take cases that the County Court cannot take.

10,384. (*Lord Farrer.*) There are certain limits to the jurisdiction of the Court of Passage?—it is limited to the city.

10,385. (*Chairman.*) But to the amount claimed?

10,386. (*Lord Farrer.*) Or to the amount to be recovered?—No, there is a limited jurisdiction in Admiralty up to 300*l.*

10,387. (*Mr. Smith.*) It is a better Court than the County Court?—It is a better Court than the County Court, and if we could only succeed in getting the rules of procedure of the High Court introduced into it, it would really be carrying out the theory of the continuous sittings, that is to say, if we could get the rules made so that solicitors could understand them and make the Court really useful we shall then no doubt always have a very good judge, because the Court would earn such an amount of fees that the Corporation could well afford to pay a good salary to a good man.

10,388. (*Chairman.*) Of the High Court do you say?—In speaking as I have done I do not for a moment wish to refer to the presentPresiding Judge, because he is most highly respected in every way; but what I mean is that his work is hampered by the anomalous practice and rules of procedure which prevail in the Court, he cannot make it as useful as it ought to be owing to his being bound by Acts of Parliament under which the Court is governed.

10,389. What is he paid?—1,000*l.* a year.

10,390. Does the Court itself support him?—No, it loses money now; it used to be a source of profit.

10,391. (*Mr. Smith.*) It is popular with solicitors because the scale of costs is more on the High Court scale than the County Court scale, is that it?—No, it is not so high as the High Court scale, but the fees of the Court being so low you can spend more on your solicitor than what you can spend on your solicitor in the County Court.

10,392. There is more margin?—Yes, the scale of charges is more favourable to the solicitor than it is in the County Court, and owing to the lowness of the Court fees the maximum amount of the costs do not exceed those in the County Court in some cases.

10,393. (*Lord Farrer.*) How often does it sit?—The Registrar is sitting every day, the Presiding Judge I really forget, I think it is about six times a year.

10,394. (*Chairman,*) You have a Court of Quarter Sessions also for your city?—Yes, Liverpool had a Recorder before the Municipal Corporations Act; it has been a Quarter Sessions borough ever since.

10,395. What is the salary of that official?—The late Recorder used to get 1,200*l.* a year, but the present Recorder gets 900 guineas, I think it is.

10,396. Does your Lord Mayor during his year of office attend much to municipal work as a matter of usage?—Practically his time is so taken up with his official duties at the Town Hall that he really has very little time for any municipal work.

10,397. What official duties do you mean?—Well, his duties consist in being in the Town Hall, I think, pretty well from 10 till 4 every day, to be at the beck and call practically of everybody who goes there, but his duties are very largely composed of acting in connexion with charities and public matters, entertaining, &c.

10,398. He is looked upon as a person who is likely to take the lead in promoting charitable objects?—Yes, I believe it has developed now into such a system that every charity organisation has its annual meeting if not its committee meetings at the Town Hall, at which the Lord Mayor is always supposed to preside, to make a speech, and, I believe, to subscribe to the funds.

10,399. It that common in the provinces?—I really do not know what the other Mayors do; I believe in other towns the mayors do more work in the committees, but the Lord Mayor in Liverpool seldom attends a committee unless it is something in which he is particularly interested.

10,400. There is no political head of the municipal work?—No; whatever a man's politics may be——

10,401. I do not mean politics in the sense of Conservative or Liberal, but there is no person representing the municipality elected by the citizens who really takes the head of the municipal work?—No.

10,402–3. The Lord Mayor is a member of the Corporation and he is occupied with what we might almost call ornamental functions during his year?—That is so, during his year of office.

10,404. (*Mr. Holt.*) You are aware that a good many declarations come before the Lord Mayor as magistrate for his signature, are there not?—Yes.

10,405. (*Mr. Smith.*) Origin of goods for export?—I would rather leave Mr. Holt to answer the question; he has had personal experience of the matter.

10,406. (*Chairman.*) Your police force?—We have a police force at present of 1,680 men, which will probably have to be increased by 200 when we get the extension of the boundaries.

10,407. (*Mr. Smith.*) 1,680 men?—1,680, and there is a fire brigade in connexion with the police force.

10,408. (*Chairman.*) That portion that you have to take in is at present served by the Lancashire police?—By the county police; we shall no doubt take over most of them when we extend.

10,409. (*Mr. Holt.*) Does not the 1,680 include a great many police who are told off specially to attend to the docks?—Yes; it includes all the police who watch the docks.

10,410. Who are paid for; there is a large contribution from the docks, is there not?—Yes; the Dock Board pay the whole cost of the police specially engaged in watching the docks; but all form part of the Liverpool Police Force, and are interchanged from time to time.

10,411. Does the water police enter into this number?—No; the water police are under the control of the Dock Board.

10,412. (*Chairman.*) You have a statutory Watch Committee?—The Watch Committee is the committee appointed under the Municipal Corporations Act, and that is the only committee whose proceedings are not subject to confirmation by the Council, and that is by Act of Parliament, that is to say, so far as it carries out the work thrown upon it by the Municipal Corporations Act.

10,413. (*Mr. Smith.*) A special statutory committee?—Yes.

10,414. (*Lord Farrer.*) I suppose the discipline of the force is under the Chief Constable?—The Head Constable.

10,415. With that the Watch Committtee does not interfere?—Yes; and the head constable in a borough is not in the same position as the head constable of a county; he has not the same independent position.

10,416. (*Chairman.*) What is the limitation of his authority?—Practically the same as it is on every other official, that he has to act on the instructions of his committee.

10,417. Does he appoint and dismiss individual constables?—Yes; but he always reports it to the committee.

10,418. (*Lord Farrer.*) Reports it?—Yes.

10,419. But they do not practically interfere with him in that, I suppose?—They do not interfere in this sense, that the Head Constable exercises his powers so judiciously that the committee invariably confirm his actions.

10,420. (*Mr. Smith.*) But they draw a distinction do they not, rather between promotions and matters of that kind and his action as Chief Constable in the

detection of crime. They would not think of interfering with him strictly in his duties as chief of the police for the detection of crime?—Oh, no; but for instance they would lay down a general policy that is to be followed by the police. They had questions only a year or two ago as to the policy of clearing out all the houses of ill fame in the town.

10,421. (*Lord Farrer.*) Yes; but the ordinary preservation of order I suppose is in the hands of the Chief Constable?—The Head Constable.

10,422. (*Mr. Smith.*) They never interfere with prosecutions?—With regard to prosecutions we have a special prosecuting solicitor in Liverpool. Nominally it is the Town Clerk, but practically it is an assistant to the Town Clerk appointed for the particular purpose; we undertake all the prosecutions unless an individual desires to do it, but if any individual desires to prosecute himself we never interfere.

10,423. (*Lord Farrer.*) In case of any disturbance or riot in the town is the Watch Committee called together?—It would be if it were necessary.

10,424. (*Chairman.*) You had in former days conflicts—party processions—in Liverpool; do you ever get any of these things now?—No, I do not think we get any processions now, except the unemployed occasionally come to the Town Hall to pay the Lord Mayor a visit.

10,425. Would the action of the Chief Constable, in respect of party processions, if such were threatened, be directed by the Watch Committee?—Yes, he would be in the sense that the Head Constable would not think of taking any strong line of action unless it were necessary, on account of urgency, without consulting with the Chairman of the Watch Committee, and, if they thought it desirable, bringing it before the committee.

10,426. (*Lord Farrer.*) But there is a great deal of discretion, as to what should be brought before the committee and what should be made public, on the part of the Watch Committee and the Chief Constable?—Yes, but practically everything comes before the committee, either verbally or formally, as proceedings.

10,427. (*Chairman.*) You have already intimated to us that your Corporation has a good deal of property?—It has; the Corporation of Liverpool have an income, not derived from rates, of about 110,000*l.* a year.

10,428. (*Lord Farrer.*) What is that derived from now?—It is derived mainly from very large corporate estates which produce about 75,000*l.* a year; then they make about 16,500*l.* from markets.

10,429. Are these estates in Liverpool?—All in the old parish or nearly. They have a very large leasehold estate which is leased on a system of 75 years leases, and which are renewed from time to time on payment of a fine. Under the Municipal Corporations Act the Corporation are obliged to carry these fines to the revenue of the year in which they receive them, consequently the actual income they receive nothing like represents the real value of their estate.

10,430. (*Chairman.*) When are they renewed; on the expiration of the term, or some years before it?—No, as a rule they are renewed before 30 years have expired.

10,431. It is a 75 years' lease, but before 30 years have run out it is renewed?—Yes, the general tendency is to renew between the fifteenth and the twenty-fifth year.

10,432. (*Lord Farrer.*) At fixed rents?—Well, there is what is called an old scale of fines for the renewal of leases which has been in force in the Corporation since about 1821, and although there is nothing, as far as I know, to legally bind the Corporation to renew on that scale, as a matter of custom the Corporation have never deviated from it.

10,433. (*Chairman.*) If the Corporation allowed these leases to run out it would eventually be a very much richer body?—Yes; but owing to the system of renewing that we have, the only properties that run out are properties that are of no great value, such as house property which is worn out and can no longer be renewed.

10,434. Your system of renewal is not obligatory?—It is a moot question; we have had a great deal of debate about that. In my opinion it is not, but the Council, whether legally bound to do it or not, do it, and there the matter rests.

10,435. There was a similar system with variations affecting ecclesiastical estates until they got into the hands of the Ecclesiastical Commissioners?—Yes; the evil of our system is paying the fines into income.

10,436. (*Lord Farrer.*) You are obliged to pay them into income?—We are obliged to pay them into income by the Municipal Corporations Act. It means to say you are spending in one year the composition for the rents of a large number of years.

10,437. (*Chairman.*) Still if it goes on it is a pretty constant source, and if fairly equalised, it comes to the same thing in the end?—Yes, but the income varies so from year to year. I have known it vary between 20,000*l.* and nearly 80,000*l.* in a year; but, at any rate, the Corporation have this 110,000*l.* a year coming from their estates, markets, investments, and the tramway surplus, and that sum of money is more than sufficient to pay interest on the whole of their municipal debt, excluding the waterworks debt. The rateable value of the city is 3,203,767*l.*; the debt on the 31st December 1893 for all purposes other than waterworks, which is practically a profit-producing investment, was 2,770,000*l.*; so that the actual debt is considerably less than one year's rateable value, and the income from property is more than sufficient to pay the interest on that debt.

10,438. The interest is 96,000*l.* and the income is 110,000*l.*?—110,000*l.*

10,439. Can you tell us something about your tramway surplus?—The tramway surplus is derived from the rents which the Corporation receive from the tramway company. The Corporation own all the tramways of the City, and they have let the tramways to a company at a rental which produces about 30,000*l.* a year; out of that sum they pay interest and sinking fund on the debt. They maintain the whole of the lines and the roadway between, and, having done that, the tramway surplus has averaged for a number of years about 7,000*l.* a year.

10,440. For what term are they let?—There is, I think, about 11 years still to run of the lease; it was originally a 21 years' lease and then extended afterwards, and I think there is about 11 years still to run.

10,441. (*Lord Farrer.*) They made them all themselves, did they not?—Well, the Corporation first of all bought up what had been made by the old company, and after that they made all the tramways themselves, and it is a very great point in my mind that the tramways should belong to the municipality, but never should be worked by them.

10,442. What is your reason for that?—Because working the tramways means a large employment of labour; employment of labour by a municipality is a very great evil, I think.

10,443. That is your reason for wishing them to be worked by companies, but your reason for wishing them to be owned by the municipality?—Because the Corporation broke up the streets themselves and laid them down, and when laying the tramways they could take advantage at the same time to repave the whole of the street, and that is practically what they did in Liverpool.

10,444. Keeping paving and the tramway in the same hands?—Yes.

10,445. (*Mr. Smith.*) You do not lose the control of your own streets?—Certainly, and what is more, it is more economical on the whole when you are laying a tramway down a street which probably is not paved at the time to take advantage of laying the tramway to repave the whole of the street so as to get the crown of it in proper angle.

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10,446. (*Chairman.*) The rolling stock belongs to the Company, I suppose?—The rolling stock belongs to the Company, yes.

10,447. There has never been any renewal of the lease; the first lease is still current?—That is a question which will shortly have to be dealt with by the Council as to whether they will renew it and on what terms. Of course it is a question of bargain, and I think possibly we shall have to consider the question of motive power. If great development of electricity takes place it may mean such an economy of working as would justify us in asking a higher rent. Then I might say as regards Liverpool, the whole of our public buildings have been built out of moneys derived from our estate really, and there is not a penny of debt owing in respect of any of them.

10,448. What does this debt of two and a quarter millions represent?—It represents expenditure on parks, street improvements, sewer and street works, and miscellaneous matters, part of it tramways.

10,449. (*Lord Farrer.*) You do not own the gas I think?—No, it is in the hands of the gas company, and I do not mean to say that we ought to buy the present gas company up at the present moment; at the same time I think it is the proper principle for municipalities to own gas, water, and tramways.

10,450. (*Chairman.*) If bought up, would you also advocate its being worked or let?—The gasworks?

10,451. The gas?—The gas ought to be worked by the Corporation themselves in order to supply at cost price to the consumers or as near as it can be.

10,452. Still you might bargain with your lessees to secure that benefit?—That point never occurred to me before, but if you let to lessees of course they will have to pay the value of their capital which must come out of the price of gas.

10,453. (*Lord Farrer.*) I think it has never been done to my recollection?—I do not know of a case, not of letting a gasworks.

10,454. (*Chairman.*) The rates at present in the different parts of Liverpool vary a little?—Yes, they vary owing to the system we had of district rating; it was abolished by the Act of 1893, but in order to abolish the district rating we had to carry out what I call a financial adjustment between the different districts so as not to throw the burden upon the parish for the benefit of the townships, the out townships; their special rates were very much higher than they were in the parish, and it would have been unfair to the parish to have put 2*d.* or 3*d.* on their rates in order to relieve the other districts, so the Council carried out a financial adjustment which will last for 30 years, and in effect it is this, that each district is to be charged so much a year in addition to what it would ordinarily pay if the expenditure were levied rateably over the whole City. But subject to that we will have now one general rate over the whole City for all purposes which were formerly included in the eight or ten rates previously referred to. But the rates in Liverpool I think are very low; the total rates in Liverpool, if I exclude the poor rate and the water charges, are 3*s.* 5*d.* in the £ in the parish, including a 6*d.* School Board rate. Then the water charge is only 1*s.* 1½*d.*

10,455. (*Chairman.*) Does the water supply run much outside your borough?—Yes, we supply about 100 square miles in and around Liverpool for domestic purposes.

10,456. Do you supply the municipality of Bootle?—Yes.

10,457. And other municipalities?—No, there is no other municipality in the area, but in addition to giving this large supply for domestic purposes within what I call our compulsory district of supply, the Corporation supplies a number of local authorities on the lines of their pipes both from Vyrnwy and from Rivington, and I think it was a very sound policy that the Water Committee adopted when they constructed the Liverpool water supply, namely, to treat on fair and reasonable terms all local authorities which could be reasonably supplied from their works, and we have never taken advantage of the necessities of any authority to extort from them a price which is beyond a fair one. We treat them all alike, and as a rule all use water at the price of 6*d.* per thousand gallons delivered in bulk to any authority on the line of pipes that wants it, either of Vyrnwy or Rivington.

10,458. (*Mr. Smith.*) That is no loss to the Corporation?—No, it is really a profit.

10,459. A slight profit?—So long as you have the water, because if you do not use the water it simply runs over the embankment down to the sea, so whatever you can sell without going to further expenditure of capital in distributing it practically is so much to the good in your water revenue.

10,460. We have adopted your plan in our new works, the water scheme in Birmingham?—Yes.

10,461. (*Chairman.*) I think the subsequent observations we have been going into?—I may say, sir, that when I was describing the method of government that I think is the right one to adopt as a general principle I was referring to the present position of Liverpool and its possible future development to a very much larger extent, and I was stating that at present there is not the slightest inconvenience, and in fact a very great benefit in having the whole under one control, and if it were increased to such an extent that it could not be easily and conveniently managed from one common centre, I have stated how I thought it could be conveniently subdivided for the purpose of certain subjects that could not be conveniently dealt with by the one body. But of course I am not for a moment suggesting that you could apply the principle to a great area like London where you would have the existing difficulties to overcome.

10,462. You had Liverpool and its possible extension in contemplation?—I laid down a general principle with special reference to the present position of Liverpool, and with a view to extending it to boroughs in the provinces. Of course where you have existing circumstances you have to get rid of these before you can start your new scheme.

10,463. Do you apprehend any difficulty from the circumstance that the members of the Corporation themselves, whatever they have to do besides—that the members of the City Council would be able to be acquainted with the general circumstances of the whole of a large town?—I do not think so; I do not see myself the difficulty of one committee, for instance, dealing with the whole of street widenings to be carried out in a large area; I do not see why one committee should not deal with the whole system of infectious diseases hospitals over a wide area, or lunatic asylums, or a general sewerage system, but there would be a difficulty in one committee attempting to supervise or have some knowledge of the scavenging of different districts perhaps some miles apart.

10,464. You must classify subjects; some subjects could be controlled from the central authority?—Certainly.

10,465. Some must be controlled locally?—That is so. I do not think there is any practical difficulty in doing it; I cannot conceive any.

10,466. (*Mr. Smith.*) And wherever uniformity was desirable, that you would delegate to the central authority, or rather you would give the power to the central authority?—As a general principle have, as far as possible, the one control and the one rating area, but where practically it cannot be carried out then you must have subdivision, and if you have subdivision in the sense of having bodies elected by the ratepayers in each division, then whatever powers they have of spending money must be charged on the special district rates, and not on the general purse.

10,467. Exactly, that is the practice in London at the present time?—I suppose it is, but then on this question of rating the existing system practically prevents anything like an equal and just rate being levied, because so long as the present poor law system obtains by which the assessment is in the hands of

overseers appointed by each parish, you will have different systems of arriving at the assessment valuation all over what really ought to be one area.

10,468. (*Chairman.*) It is a question of valuation?—We can never get an equal rate in Liverpool; we have at the present moment five different assessing authorities making the valuations for the general rate; the consequence is I do not suppose that in any one of these districts a house which ought to be exactly of the same rateable value is put down at the same rateable value; it varies possibly several pounds.

10,469. (*Mr. Smith.*) Is not that difficulty provided for by this Act or rather Bill, which is at present hanging between heaven and earth as it were?—Yes, in the Parish Councils Bill the municipal corporations practically have been the means of getting inserted that provision to enable us by order of the Local Government Board to take over the powers and duties of the overseers, and I look upon it as about the best part of the Parish Councils Bill, because if we get that we can get control of the assessment, and have a uniform method of assessing all over the City, and then we can have the collection of rates for the poor rates in one hand. At present we have five different authorities collecting rates in one municipality.

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10,470. The clauses of that Bill, so far as you know, would meet the difficulty?—They will if the Local Government Board will act upon them with a firm hand. There will be no doubt a very great opposition from the unions and parish authorities against being abolished, but at the same time it ought to be done.

10,471. (*Chairman.*) Have you any acquaintance with the organisation of New York?—None at all, sir.

10,472. Or Paris?—No.

10,473. Do you know the circumstances of life in Paris, the size of it, population, its scattered character?—No, I really have not studied it at all.

The witness withdrew.

10,474. The Secretary read the following letter from the Home Office:—

"Whitehall,
"22nd February 1894.

"Sir,

"I am directed by the Secretary of State to acknowledge the receipt of your letter of the 17th inst., stating that Mr. Henry Homewood Crawford has resigned his seat upon the Royal Commission on the Amalgamation of the City and County of London.

"I am,
"Sir,
"Your obedient servant,
"E. Leigh Pemberton,

"The Secretary to the
"Royal Commission on the
"Amalgamation of the City
"and County of London."

Adjourned till Thursday, 15th March, at 11 a.m.

TWENTY-SECOND DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 15th March 1894.

PRESENT:

The Right Hon. LEONARD HENRY COURTNEY, M.P., Chairman, presiding.

Lord Farrer.
Mr. Robert Durning Holt.
Mr. Edward Orford Smith.

Mr. George Edward Yorke Gleadowe, C.M.G., Secretary.

10,520. The following letters from the Vestry of Kensington, Mr. Crawford, and the County Council were read by the Secretary:—

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1.

"Town Hall, Kensington,
"March 10, 1894.

"Sir,

"Adverting to my communication of the 17th January, transmitting a copy of a resolution passed by the Vestry of Kensington upon the subject of the government of London, I have been directed to state that the Vestry of Kensington are desirous of appearing before the Royal Commission, and of laying before the Commission the views which they entertain as to the position which local authorities such as themselves should occupy in any changes which may be made in the government of London, and it is trusted that the request which they now put forward to be heard may be acceded to by the Commission.

"I am further to add that should it be the pleasure of the Commission to receive evidence from the Vestry, Mr. T. Whittinbury Wheeler, Q.C., a member of their body, and myself have been authorised to attend to tender the same.

"I am, Sir,
"Your obedient servant,
"W. Chambers Leete,
"Vestry Clerk."

"The Secretary,
"Royal Commission on the
"Amalgamation of the City
"and County of London."

2.

"Guildhall, London, E.C.,
"March 10, 1894.

"Dear Mr. Gleadowe,
"Amalgamation Commission.

"Adverting to your communication of the 26th ultimo, forwarding me copy of a letter addressed to you from the Home Office, on the subject of my resignation as a member of the Commission, I lost no time in addressing a formal communication to the Home Secretary, to be laid before the Queen, and I

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have to-day received a reply from the Home Office, informing me that Her Majesty has been graciously pleased to accord to me permission to retire from the Royal Commission.

"I shall feel obliged if you will make known the fact to the Chairman, so that my resignation may be noted on the minutes of the proceedings as being now completed, and, at the same time, tender to the Chairman and my late colleagues my renewed expression of regret that circumstances should have arisen which necessitated my withdrawal from taking further part in the important work entrusted to the Commission.

"I am,
"Dear Mr. Gleadowe,
"Yours very faithfully,
"H. HOMEWOOD CRAWFORD."

G. E. York Gleadowe, Esq., C.M.G.

3.

"London County Council,
"Spring Gardens, S.W.,
"March 4, 1894.

"SIR,

"I AM directed by the Special Committee of the Council to forward you, for distribution amongst the members of the Royal Commission, 10 copies of the following documents:—

"1. A memorandum showing to what extent it is proposed in the proposals for the amalgamation of the City and County of London to assimilate the government of London to that of a municipal borough, and why assimilation in all respects is not possible or desirable.

"2. A memorandum by the Deputy Chairman of the Council upon the respective merits of the system of triennial election of County Councils and other administrative bodies, and the system of annual election of one-third of the members of the bodies.

"The Vice-Chairman and the Deputy Chairman of the Council will attend the meeting of the Commission on Thursday the 15th instant, and formally hand in the above-mentioned memoranda, and will be prepared to give evidence thereon on that or any subsequent day.

"I also enclose a memorandum containing observations upon the evidence given by Mr. William Payne, and the committee would be glad if the Commission would hear evidence from Mr. Gomme, the Council's statistical officer, with reference thereto.

"Arising out of the Corporation's Blue Book and Mr. Payne's evidence (Questions 6841–6926), the Committee have in preparation, and will submit to the Commission at an early date, a memorandum on the City Markets Accounts, showing how far the administration of the City Markets since 1855 have resulted in a loss. The committee would also tender Mr. Gomme as a witness with regard to this document.

"I am, Sir,
"Your obedient servant,
"H. DE LA HOOKE,
"Clerk to the Council.

"The Secretary,
"Royal Commission on the
"Amalgamation of the City
"and County of London."

Mr. W. C. Leete.

Mr. WILLIAM CHAMBERS LEETE, Clerk, and Mr. T. W. WHEELER, Q.C., a Member of the Vestry of Kensington, called in and examined.

10,521. (*Chairman.*) Mr. Leete, will you give us a little information as to your experience in relation to vestries?—Yes, sir. I desire to preface my evidence, if I may be allowed, by two small observations. In the first place, I wish to state that I attend before you to-day with very little more than 24 hours' notice, and that, consequently, I have not been able to prepare my statement of evidence with the care that I should have liked, and I would ask the indulgence of the Commission that, if any question arises to-day to which I think it desirable a further answer should be given, I may be allowed an opportunity of submitting a further statement or of appearing again before you to supplement my evidence to-day; and, in the second place, I think it but right, speaking on behalf of the Vestry of Kensington, to say that the request which has been put forward by the Vestry is prompted by no desire whatever to trench upon the original reference to this Commission. They are simply concerned that, in the consideration of the question of the government of London, due regard should be had to the position of the various local authorities, of which they consider themselves one of the most important.

10,522. Well, now, will you tell us what your experience has been?—I hold the position of Vestry Clerk to the parish of St. Mary Abbotts, Kensington. I am also clerk to the Assessment Committee of that parish, and clerk to the Burial Board. I have had 16 years, rather over 16 years, official experience in the work performed by metropolitan local authorities. I served, if I may say so, an apprenticeship of some four years in the office of the Vestry Clerk of Chelsea. I then held, for a short time, the position of assistant clerk to the Westminster District Board of Works. From 1883 to 1889 I occupied the position of chief clerk, or assistant vestry clerk, in the service of the Vestry of St. Mary, Islington, an authority which, I may state, exercises jurisdiction over one of the largest parishes not only in the metropolis, but in the United Kingdom. Since 1889 I have filled the position which I at present hold under the Vestry of Kensington.

10,523. And you have had experience of vestries of districts of somewhat different character?—I have.

10,524. Kensington, although not so large as Islington, is, you consider, one of the most important districts of the metropolis?—I think that will be admitted, when I state that it comprises an area of 2,245 acres, it contains 22,000 inhabited houses, a population of 166,322, taking the last census return, and possesses a rateable value, as shown by the last list of totals published under the Valuation of Property (Metropolis) Act, of 2,050,695*l.*

10,525. And if that population existed in an isolated form away from London in any county in England it would be constituted into a county borough?—The assumption is that it would. I may venture to submit, for the information of the Commission, that a reference to official returns shows that the relative position of the parish of Kensington as compared with the various county boroughs, taking the basis of the number of inhabited houses, population, and rateable value, is as follows:—As regards inhabited houses, there are 16 county boroughs having a larger number than Kensington, there are 47 having a less number. As regards population, there are only 12 in excess of Kensington, there are 51 boroughs with a less population; and when we come to rateable value, there are only two county boroughs which exceed it in value, and there are 61 possessing a less rateable value. The two county boroughs are Liverpool and Manchester.

10,526. You, of course, recognise the fact that contiguity with other densely-populated areas makes a difference in the treatment of such an area?—Of course, I appreciate the fact, sir, that contiguity of area may necessitate, and, in fact, it is admitted must necessitate, a central authority for certain purposes; but the view of my vestry is that that authority shall only be entrusted with the duties which cannot be performed by the local authorities.

10,527. Which cannot be performed or which cannot better be performed?—Well, we will say cannot better be performed.

10,528. Are you acquainted with Liverpool?—I am not acquainted with the administration of Liverpool.

10,529. Nor, of course, the general character of Liverpool; it would cut up into two of Kensington, or more?—I can quite understand that Liverpool

may be growing to that extent that it may cut up into more than one unit.

10,530. Do you think it would be to the advantage of Liverpool to be divided into two boroughs?—I am hardly in a position, I think, to answer the question offhand. My experience of Liverpool is not sufficient to justify me in replying.

10,531. Is there any other big county borough that you know, a borough that you would be able to express an opinion about?—My vestry regard the borough of Kensington, constituted a borough for parliamentary purposes, as being a reasonable unit to deal with its municipal affairs.

10,532. You are aware that the borough of Liverpool is divided into something like five or six parliamentary constituencies?—Parliamentary divisions, I think, sir.

10,533. Constituencies. I used the word?—And my own borough of Kensington is divided into two, and the borough of Islington is divided into four.

10,534. Then you cannot go much into parliamentary constituencies, otherwise you would have two boroughs in Kensington and four in Islington?—No, sir, if I may say so, Kensington and Islington are each one borough.

10,535. That is a phrase, you know. Kensington is divided into two parliamentary constituencies; there may be divisions of Kensington, but they are perfectly distinct as constituencies?—Of course, I regard them, taking the Act of 1885, as one borough. My authority is an Act of Parliament. Just the same as a parish may be divided into wards for its local representation, so a borough, I take it, may be divided into divisions for its parliamentary representation.

10,536. But a parish is divided into wards for local representation, bringing the representatives of the wards together into one body. There is no connexion between the two representatives of Kensington as members of Parliament in Westminster; the one is as distinct in functions and powers from the other as if one sat for Kensington and the other sat for Hull. Is Kensington a poor law union?—Kensington is one parish for poor law purposes, and that being so my vestry appoint the assessment committee of the parish. I may further state that the Vestry of Kensington, in addition to being the Highway and the Sanitary Authority under the Metropolis Management Acts and the Public Health Act, are, by virtue of their being the authority who make and collect the poor rate and the other rates, overseers for all purposes under the Metropolis Local Management Act, 1855, the Poor Rate Assessment and Collection Act, 1869, and the Valuation of Property (Metropolis) Act, 1869.

10,537. Your vestry passed a resolution, which was communicated to us, last January?—On the 17th January, sir.

10,538. Was that arrived at after much discussion?—Considerable discussion took place, but I may state that perfect unanimity of opinion prevailed as regards the terms of that resolution.

10,539. It was passed without a division, do you mean?—Without a division; it may be said that it was passed *nemine contradicente*.

10,540. You had better read it, perhaps?—The resolution was in the following terms:—"That in the "opinion of this Vestry it is highly desirable, with a "view to the preservation of the true principles of "local self government, that in any scheme for the "better government of the metropolis the powers, "duties, and responsibilities of local authorities "should be enlarged rather than curtailed, and that "this can best be attained by the establishment and "incorporation of a number of municipalities vested "with full municipal life and privileges."

10,541. Before going any further, how many constitute your vestry?—120.

10,542. And how have they been elected in the past?—Under the Metropolis Management Act.

10,543. Annually?—One-third are elected annually, sir; there are three wards in the parish.

10,544. What is the representation of each ward?—The Town Ward, which is the first, has 45 representatives; the Ward of Holy Trinity, Brompton, 27; and the Ward of St. John, Notting Hill, 48.

10,545. Sixteen of those Notting Hill members go out every year?—Go out every year.

10,546. Are they elected by what the French call *scrutin de liste*?—The procedure at the election is as follows: The churchwardens are required to publish a notice intimating the day of the election and the days upon which the election is to be held in each ward. The ratepayers of that ward assemble on the day named, and names of persons eligible to serve are then nominated, and their names are put to a show of hands. It is then competent for any five ratepayers present to demand a poll on behalf of any rejected candidate, and if a poll is demanded the same is taken on the following day. The procedure as regards the polling day is—the poll is opened at 8 a.m. and closed at 8 p.m., and while it has not been strictly governed by the Ballot Act, inasmuch as official voting papers are not of necessity used, yet practically the election is conducted very much on the system of the ballot. As the Commission are aware, of course, the election to the vestry has recently been altered by the Local Government Act of this past session.

10,547. Yes, but you have not quite answered my question. Put in detail, 16 members have to be elected for Notting Hill; there are 25 candidates and a poll is demanded; the printed list contains 25 candidates, I suppose, alphabetically arranged?—Yes.

10,548. Does each elector mark 16 for whom he votes, or has he the power to mark 16?—He has the power to mark 16.

10,549. And hitherto the number of votes that he gave to each of the 16 depended upon his rating qualification?—No, sir, he had one vote.

10,550. One vote and one only?—One vote for each person to be elected.

10,551. And one only in all cases?—And one only in all cases.

10,552. (*Mr. Smith.*) It was not governed by Sturges Bourne's Act?—No, it is by the Metropolis Management Act.

10,553. (*Chairman.*) Then what alteration has been made practically by recent legislation?—As far as we can gather, the Act of Parliament is somewhat an involved one to go through, the electorate is widened, inasmuch as the lodger vote is introduced and also the service franchise vote, and the Ballot Act is made to apply to future elections. That is all the difference.

10,554. (*Mr. Smith.*) Was there not a qualification for your elected members?—Quite so, sir; the qualification was that persons should be rated to the relief of the poor to the amount of 40*l.*, and in other parishes to the extent of 25*l.*, but that qualification now is entirely abolished.

10,555. That is abolished by the Local Government Act?—Yes.

10,556. (*Lord Farrer.*) The one-third will still go out every year?—Under this Act, my Lord, we are rather anticipating light from the Local Government Board on the exact provisions of this Act, but I gather that there will be no vestry election in the coming May, that the third of the body who would have retired will remain in office until November next, when the whole of the body will go out, and then the provision, my Lord, is I think this, that again we shall revert to the one-third retiring at the end of the first year, and one-third retiring at the end of the second year, and one-third retiring at the end of the third year.

10,557. (*Mr. Smith.*) But you will elect an entirely new body next November?—Next November there will be a new body.

10,558. You say that, I suppose, not from any actual information, but from following the practice

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that the Local Government Board has initiated with regard to Boards of Guardians?—That is so, sir.

10,559. (*Chairman.*) Well, you propose to follow up that resolution of your vestry?—I desire to do so by submitting the following propositions, which set forth somewhat more fully the views of my vestry upon this question. The vestry are very strongly in favour of what may be described as local autonomy as opposed to centralisation. They are convinced that centralisation means government by officials, and, they venture to think, increased cost of administration, without any commensurate increase of efficiency in administration. Further, that looking to the vast differences which exist in the requirements and characteristics of the various parishes embraced within the area of the metropolis, they cannot be treated as one unit for local government purposes; that, whilst they recognise that there are certain matters connected with the administrative affairs of the metropolis which must necessarily be vested in the hands of a central authority, they consider that there are many executive functions at present exercised by the central authority which might, with advantage, be transferred and placed in the hands of the local authorities. I may, perhaps, be allowed to mention to the Commission that in June 1890 a very important conference of the various metropolitan local authorities was held at the instance of the Vestry of Chelsea, and the following resolutions were adopted at that conference. My vestry was represented thereat, and may be taken to be in practical accord with those resolutions. The first one was: "That in the opinion of this Conference any proposed readjustment of London administrative areas should preserve, as far as possible, the existing local administrative unit, the boundaries being altered only where necessary to secure efficient administration.

"That in the opinion of this Conference, the office and functions of the District Surveyor, under the Building Acts, should be in the hands of the local boards and their officers, with an appeal to the London County Council.

"That, in the opinion of this Conference, the time has arrived for consolidation of the various functions of Overseers, Assessment and Valuation Committees, and Burial Boards, under District Local Authorities elected on a wide franchise, also the functions of the Baths and Washhouses Commissioners and Commissioners for Public Libraries, and that, generally speaking, it is desirable to make the Local Boards as important as possible, and, for this purpose, to vest in them all such executive functions (excluding Poor Law and Educational Administration) as are not essentially and necessarily the functions of a central authority."

10,560. (*Lord Farrer.*) Those are not defined?—They are not defined.

10,561. There is no specific recommendation with respect to the functions that are to be vested in the local bodies, except the appointment of district surveyors?—That is the only one at present in the hands of the central authority, which, it is definitely suggested, should be transferred to the local authority.

10,562. (*Chairman.*) You had better go on reading?—Those are the series of resolutions which were passed at that conference. There were no less than 34 out of the 39 metropolitan authorities represented at the conference, and my vestry are of opinion that such resolutions are of considerable importance, and worthy of consideration at the hands of the Commission.

10,563. That last comment of yours I see you put forward on the authority of the vestry?—On the part of the vestry.

10,564. Is that from your general knowledge of their opinions or have they passed anything specific in relation to those resolutions?—I may state, that as regards the second resolution, the transfer of the duties of the district surveyor to the local authority, it came before my vestry only last evening, when they had before them a report from their works committee dealing with the byelaws which the London County Council have recently framed under section 39 of the Public Health (London) Act.

10,565. (*Lord Farrer.*) What is the date of that Act?—1891, the Public Health (London) Act. The attention of the Committee having been called by their surveyor to a difficulty which he felt might possibly arise as regards one of such byelaws—which provided that any watercloset which might be constructed to abut upon a room used for human habitation or for the manufacture, preparation, or storage of food for man, or as a factory, workshop or workplace, should be enclosed by a solid wall or partition of brick or other material, the Committee pointed out to the vestry that plans of buildings might be passed by the district surveyor and the buildings practically completed before the plans for the drainage works for the building would have to be submitted to the local authority, and that no opportunity would thus be afforded to the surveyor of the local authority to see that the requirements in question had been complied with. My vestry feel that it is an anomaly that a builder proceeding to erect a house, shall have to, first of all, consult the district surveyor, and to submit plans to him, dealing with the general structure, and that afterwards the builder has to go to the local authority submitting plans for the drainage of that building, and that you have the official of the central authority making his inspection of the building for certain purposes, whilst the surveyor to the local authority is also making his inspection of the building for other purposes. My vestry feel that in the interests of all parties it would be most desirable that the complete plans of the building should be before one authority in their entirety, and should be supervised by one responsible official, and they feel that that duty should be placed upon the local authority, and that the official should be the surveyor to that authority, as it would be in the case of any county borough. They passed a resolution last night directing that a communication should be addressed to the London County Council, asking them to furnish the district surveyor with copies of the byelaws under the Public Health Act, and asking the Council to instruct those officers to see, before passing the plans of any buildings, that the requirements of the byelaws were complied with, so far as the same relate to structural works, and to report to the local authorities any contravention of such byelaws as may come to their knowledge. That was the recommendation of the committee which was submitted to the vestry, and when the report was considered a rider was moved to such report, expressing the opinion of the vestry that the time had arrived when the duties appertaining to the office of district surveyor under the Metropolitan Building Act, and of the surveyor under the Metropolis Management Act, should be discharged by the latter official.

10,566. (*Chairman.*) That rider was carried?—That rider was carried, sir.

10,567. Well, that is a case of the overlapping, and possible collision, of functions?—Quite so.

10,568. It is very desirable to have that indicated; after all that is an item?—It is an item, sir, but of course it embodies a principle: are the local authorities competent to administer the Metropolitan Building Acts in their respective districts? The Vestry of Kensington very emphatically say that they are the authority that should have the administration of these Acts.

10,569. (*Lord Farrer.*) Was that point considered in the framing of the Act of 1891?—The Building Act, my Lord, was passed in 1855, in the same year that the Metropolis Management Act was passed.

10,570. (*Mr. Smith.*) I do not gather that you have any objection to the County Council making the byelaws?—Not at all.

10,571. It would be evidently desirable to have uniformity throughout London?—Well, uniformity as regards building, undoubtedly.

10,572. Your objection is merely that your district surveyor should be the officer, in your opinion, to see that the byelaws were properly complied with?—Not

the district surveyor, but the surveyor to the local authority.

10,573. Well, you have used the term "local authority" in different capacities; you mean your local authority?—We are the local authority, the Vestry of Kensington.

10,574. But you said that he had afterwards to submit the plans to the local authority for drainage; that would be, in that sense, the County Council, would it not?—No; the vestry. So far as the drainage of a building is concerned, we are the authority to deal with the matter, and you may have this occur—a man constructs his building quite in accordance with the requirements of the district surveyor of the County Council, but when he comes to the local authority with his drainage plans, you have to say to him, "No, under this plan you pro- "pose to have this watercloset constructed in this "manner, you are wrong, you must alter it," and very probably the man would then have carried out the work.

10,575. (*Lord Farrer.*) Then it is the Building Act you complain of, not the Act of 1891?—Oh, quite so, the Building Act.

10,576. Quite so?—What we say is this, that the Building Act might be administered with advantage by the local authority.

10,577. The question that I asked was whether that point was raised during the discussion on the Act of 1891?—I think not, my Lord.

10,578. (*Mr. Smith.*) Generally, is it not the fact—I do not know whether you have any experience in other areas of administration—but is it not the fact that the drainage plans are shown in the plans of the building, the drains and the situation of the closets and other places?—They would not be shown in the plans as submitted to the district surveyor.

10,579. Why not?—Because it is not required. The district surveyor, as I understand it, simply deals with the thickness of the walls and other structural matters.

10,580. Stability?—Stability and general structure.

10,581. You say your London Act is different from ours in the country. All our plans in the country would be submitted to the local authority?—And that is practically what we ask should be the case in London.

10,582. Another case where you may learn something from the provinces?—Yes, in this we wish to be placed in the same position as the county boroughs, and that the vestry surveyor should be placed in the same position as the borough engineer.

10,583. (*Chairman.*) What provoked this conference promoted by the Chelsea Vestry?—It was a scheme which had been drawn up, I think I am right in saying, by a member of the Local Government and Taxation Committee of the County Council. The scheme, I do not think, ever actually received the approval of the Committee of the County Council.

10,584. (*Lord Farrer.*) Was it ever considered by that Committee?—I am not prepared to say, my Lord.

10,585. (*Chairman.*) There was something in the air?—There was something in the air; and I may state that there was something in the air by which certain of the parishes were to be linked together—I remember under that scheme it was proposed that Kensington and Chelsea should be constituted one unit.

10,586. And Chelsea called the different local authorities together?—Yes, Chelsea strongly objected, and Kensington equally objected.

10,587. Which were the authorities that did not come?—There were only five absent, but I am not able to say which they were.

10,588. (*Lord Farrer.*) I think there was a notion in the air that Mr. Ritchie had invited the new Council to help him in rearranging the districts of London?—I think that is so, my Lord.

10,589. There was some idea of that sort afloat, whatever foundation there may have been for it. But you do not mean to say that either the Committee of the County Council, much less the Council, ever suggested any such scheme as you have referred to?—Oh, I quite appreciate that, my Lord. I think it was the scheme of one gentleman on the Committee, favoured, possibly, by one or two others.

10,590. (*Chairman.*) Well, now these resolutions, or additions to the resolutions, which you have submitted to us, amount to this, that you desire to have a local authority, while you do not deny the propriety of having a central authority also?—Quite so.

10,591. The whole question turns upon the partition of the powers between the two?—That is it, sir.

10,592. Of which you have given one illustration—an important one—but you have given one illustration?—I can give you others if you wish it.

10,593. Very well, that is just the practical question we should like to have?—With regard to this question I should like to say that so important do I consider it, that I think I may fairly ask to be allowed to supplement my answer of this morning by a further statement with regard to it. My vestry would be quite prepared to submit to this Commission a fuller and more complete statement of what functions they consider might be transferred from the central authority to themselves.

10,594. (*Lord Farrer.*) Just before you go into further illustrations, I should like to ask you whether your observations have reference to Kensington only, or to all the vestries and district boards?—I am, of course, only authorised to speak on behalf of the Vestry of Kensington. Speaking in my simple capacity as an official, I should say that what might be given to Kensington might with equal justice be given to such districts as Saint Pancras, Marylebone, Islington, &c.

10,595. You have mentioned some of the largest; but would you say the same of the whole number; 40 or 41 vestries and district boards of London?—I think we must face the fact that there are certain small districts in the metropolis which might with advantage be amalgamated; in any scheme for a reform of London government, certain small parishes must eventually be joined together.

10,596. I suppose you cannot speak about their views with respect to amalgamation?—No; I am not able to do that.

10,597. (*Chairman.*) We are not much concerned with that. Assume that London—the whole administrative county—is divided into areas of sufficient importance such as Kensington, Islington, and Chelsea, what is your suggestion as to the partition of powers between the local and the central authority?—I am not in a position this morning to give you a complete schedule of the exact duties to be performed by the central authority and the duties to be performed by the local authorities; but I would simply mention one or two heads. I take, for instance, the provision of the Metropolis Management Act applying to street nomenclature, which is at the present time in the hands of the central authority. I am strongly of opinion that that is a power which might well be left with the local authority; and if I may cite an instance which has occurred in my own district during the last few days, it will illustrate my view. The County Council are not only the authority for the re-naming of the streets, but also for the re-numbering, and just recently I have had in my parish a small thoroughfare, quite a subsidiary thoroughfare, of some 18 houses—Child's Place, Earl's Court Road—which the local authority came to the conclusion that it was expedient should be re-numbered. They had to address a communication to the County Council, suggesting the desirability of those houses being re-numbered; the County Council had to send down, I presume, an officer from the central authority to inspect the place, and to arrive at his report with regard to the suggestion; and in due course a formal order under the seal of the County Council had to be issued and forwarded to the local authority, and the vestry had then, on receipt of this order, to

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issue the notices to the occupiers and owners of the several buildings, requiring them to make the alteration in the numbers of their properties. My opinion is that such work as that might properly be entrusted to the local authority, that they, surely, are the best judges to know whether it is expedient that a thoroughfare should be re-numbered, and whether it is expedient that certain subsidiary names in a thoroughfare should be abolished. We recognise the fact that in the giving of fresh names to streets it might be expedient that there should be some person or central authority, who should have the power of vetoing a name, my own opinion being that the Postmaster-General would be about the best person.

10,598. For all the kingdom?—For London. Of course we must avoid each district deciding to name some street after a particularly great man, who may have passed away, and consequently causing in the postal districts a duplication of names. But as to the expediency of a street being re-named or a street being re-numbered, surely that is a matter which the local authority of the district are the best judges to deal with.

10,599. So that if there is a Duke Street in the Strand, and a Duke Street in Marylebone, and a Duke Street in the City, each authority retains absolute control over its own Duke Street?—I venture to meet that by suggesting that there should be a power of veto.

10,600. Oh, no, it is existing—it is a name that exists. There is a Great Queen Street in Westminster and a Great Queen Street in St. Pancras, in St. George's, Bloomsbury?—Yes.

10,601. If there is no power of re-naming on the part of the central authority how is it to decide which has ceased to be Great Queen Street or which has ceased to be Duke Street?—I would give the power to a central authority to deal with such individual cases as those. But where a new thoroughfare is formed in a parish—as a matter of fact at the present time the local authority are the persons who do it, only they do it by suggesting to the central authority. If a communication is addressed to the London County Council suggesting that a street shall be re-named, the very first thing which is done is, a communication is forwarded down by the County Council to the Vestry of Kensington to say, "a suggestion has been made, " and we shall be glad to have the views of the vestry " thereon."

10,602. That seems to be very sensible, the way the County Council does it?—Quite so; and practically I say it is in the hands of the local authority.

10,603. But must not the central authority have some control, so as to diminish the multiplication of names?—That I am desirous of giving them.

10,604. Well, could you give us any other illustration of the partition of power besides this nomenclature of streets?—The licensing of cowhouses and dairies.

10,605. What is the advantage of having that done locally?—They are inspected by our local inspectors for sanitary purposes; and it is merely a duplication of work that they are also visited and inspected by inspectors of the central authority.

10,606. (*Lord Farrer.*) Under what Act is that done?—It is a general Act.

10,607. (*Mr. Smith.*) But the County Council make the regulations?—Make the regulations.

10,608. (*Chairman.*) Have you anything else?—The maintenance of open spaces, except those which are of such an extent as to serve several parishes.

10,609. (*Lord Farrer.*) Do you maintain any open spaces in Kensington?—We have one open space, Avondale Park, a recreation ground which was acquired some few years since, and which is maintained by the vestry of Kensington at its own cost.

10,610. And that they have made and manage at their own expense?—At their own expense.

10,611. Then, what you object to is the Council paying out of the common fund for small recreation grounds in other parishes?—That is so, my Lord, for those which afford no benefit to districts other than the particular district in which they are situated.

10,612. Of course, you do not refer to large spaces, such as the parks?—Oh, no.

10,613. You remember that a certain number of small spaces were taken over by the County Council from Lord Meath's association?—They were.

10,614. In some of those cases the vestries and parishes undertook the maintenance, and in others they did not?—Quite so.

10,615. And those in which they did not were taken over and are still maintained by the London County Council?—Yes.

10,616. And you think that all parishes ought to be on the same footing in that respect?—I do, my Lord.

10,617. (*Chairman.*) And if the local authority did not like the duty, or objected to the expense, well, it is its own affair?—Quite so.

10,618. Have you anything further to suggest?—Not at the present time, sir. But if the Commission will allow me, I should be desirous of supplementing my answer to this question as to the powers and duties.

10,619–20. Now, have you any suggestion as to the reconstitution, or amplification, or glorification, of your own body, and of all others in the same way?—The vestry of Kensington feel strongly the desirability of increasing the importance and raising the dignity of the local authorities; and it appears to them that that could best be done by constituting them municipalities, giving to them full municipal life and privileges.

10,621. Does that mean giving them more powers? We have been already concerned with the partition of powers, and you have not mentioned a very large number at present. Or, does it mean simply giving them a fresh and more dignified name?—It would mean both; undoubtedly the one would carry the other.

10,622. Do you wish to give to the Vestry of Kensington not only the name and title, but all the functions, of a municipality, as constituted under the Municipalities Corporations Act?—Quite so.

10,623. Would not that be giving to Kensington a good many of the powers now vested in the county council?—I expect it would, sir.

10,624. Which you have not asked?—Which I should ask for.

10,625. But you did not, when I talked about the partition of powers?—No; because I stated, sir, that the notice had not allowed me to prepare a statement upon that point, such as I should like to submit to the Commission, and I trust that will be appreciated by the Commission. I have only had 24 hours' notice that I was to come here.

10,626. Do you think it would be expedient at all to change your name, quite apart from the increase of your powers?—I think it would, sir. The word "vestry" is not understood or appreciated. It is, if I may say so, a relic of the ecclesiastical days; and it is misleading, to say the least of it.

10,627. Well, the change into "District Council will get rid of that association"?—Yes.

10,628. Kensington District Council?—Of course my vestry say if Croydon, or, if to take a nearer place, Richmond, is of sufficient importance to entitle it to a Mayor and to a Corporation, as a borough, Kensington is equally entitled to such privileges.

10,629. Would it be enough if, without any change of powers, the chairman of the district council were called the Mayor of Kensington?—A mere change of name would not satisfy the views of my vestry.

10,630. It goes a long way?—Not nearly far enough, so far as the vestry of Kensington are concerned.

10,631. Well, we shall be able to say, when you enter upon the examination of the greater powers you want, whether it is power or name which will satisfy your ambition?—Yes.

10,632. Have you anything more to suggest, as to the method of communication between your local

authority, however named, and the County Council?—As to the relative position of the two?

10,633. No, as to the means of communication between the two?—You say, for example, with respect to naming, that the County Council sent you down a communication; you take it into consideration, and you report back; is there anything you can suggest which would simplify or facilitate the inter-communications?—The vestry of Kensington consider that at the present time there is a want of touch, if I may say so, between the central authority and the local authorities, which is prejudicial to the best administration of London.

10,634. Very well, how would you suggest that that should be amended?—I think it is most expedient that the representatives of the district or borough on the central authority should also be members of the local authority.

10,635. That the county councillors of Kensington should be members of the vestry of Kensington?—Quite so.

10,636. (*Lord Farrer.*) Some of them are, are they not?—Some of them in our case are, my Lord.

10,637. (*Chairman.*) But you may say that is accidental?—Accidental, sir.

10,638. You think that *ex-officio* the county councillors for Kensington should be members of the vestry of Kensington?—I think that would be a very desirable change.

10,639. You do not suggest anything reciprocal?—That the vestry should be ——.

10,640. That the chairman of your vestry should be *ex-officio* a member of the county council?—Well, we believe in it.

10,641. If you could get it you would like it?—If we could get it we should like it. But we are afraid that might be regarded as going back to the days of "selection" in contrast to "direct representation," which we some of us still believe tended to good administration. My own view is, that at the time that the members of the local authorities are elected the representatives to the central board might also be elected; and that the first five or six at the head of the poll might be members, not only of the local authority, but should also represent that locality on the central authority. On some such basis as that, I believe the two might be brought into closer harmony and touch.

10,642. (*Lord Farrer.*) The electorate would be the same now?—The electorate should be the same.

10,643. That would make a considerable difference, would it not?—The electorate is not exactly the same at the present time. That is one of the peculiar anomalies, I was going to say, of the Local Government Act of 1894, that the electorate for vestry elections will not be the same as for county council elections.

10,644. What is the difference now?—The difference is this, my Lord, that under this recent Act the electorate for vestry elections will be the municipal register plus the parliamentary register, that is to say, the lodgers and the service franchise will in the one instance be added to the electorate.

10,645. (*Chairman.*) And owners of property?—And peers and owners, sir.

10,646. What you suggest is that the county councillors and the district councillors could be elected at the same time on one list, and that the county councillors should be the top men of the list?—Quite so. That is one rough scheme, sir, shadowed forth.

10,647. It might do if they were elected on different lists at the same time, and the electors chose if they liked to put the same name in both?—Quite so.

10,648. But your simple and practical suggestion is, that the members for a district on the county council should be *ex officio* members of the district council?—Yes.

10,649. You think that would facilitate communication between the two bodies?—I think it might.

10,650. Those last questions which I have directed to you are concerned with those further heads of evidence on which you would desire hereafter possibly to submit evidence?—Yes.

10,651. (*Lord Farrer.*) I would like to ask you a question with respect to areas. Your area is a tolerably homogeneous one—you are well within one boundary?—Yes.

10,652. Now, there is a little bit of Chelsea lies away north of you?—The detached portion of Chelsea.

10,653. And I think the Scheme you referred to in the earlier part of your evidence had some reference to those outlying portions of Chelsea as well as to some other things, had it not?—I rather fancy that under that scheme, it was proposed that the detached portion of Chelsea should go with Paddington.

10,654. With Paddington was it?—Well, but have you anything to suggest upon that question of areas?—You have suggested that the local bodies should be made more important. Now, in the cases of Chelsea and Westminster, and in some other instances, the present areas are very confused?—In any change, of course, the detached portions of Chelsea would have to be allotted to one of the adjacent districts. I favour somewhat, myself, my Lord, the idea of the respective Parliamentary boroughs being treated as the units for municipal purposes.

10,655. (*Chairman.*) What do you mean by municipal purposes"?—That each Parliamentary borough should be created a municipality, that it should be a municipality for St. Pancras, for Islington, &c.

10,656. But you look upon Kensington as one Parliamentary borough in that relation?—Quite so, I am afraid I must insist upon that view.

10,657. (*Lord Farrer.*) That would need a considerable revision of areas in certain parts of the metropolis for municipal purposes?—In certain parts it would.

10,658. (*Mr. Smith.*) Is there any element of permanence in parliamentary boroughs? Have they not been very frequently altered for parliamentary purposes, without reference to municipal institutions?—I am not prepared to say when was the last occasion. In 1885, of course, the great alteration was made, but I do not think that for some time previous to that there had been any alteration.

10,659. There was a time, you know, when I think there were only seven or eight Parliamentary boroughs in London, not very long ago?—Yes.

10,660. Supposing that a suggestion made in 1854 that those should be formed into municipalities, had been carried out; the whole thing would have been altered again by the Reform Act, as far as parliamentary boroughs were concerned?—Yes.

10,661. And may be altered again?—And may be altered again. The only reason why I suggest Parliamentary boroughs is that it will be found that in fixing those Parliamentary boroughs in 1885 regard was had to the separate parishes; such parishes as St. Mary, Islington, St. Pancras, St. Marylebone, Chelsea, and other important parishes being made parliamentary boroughs.

10,662. Possibly you followed a more intelligible principle in London than we did in the country; I am bound to say with us it was simply a basis of population?—Ah!

10,663. (*Lord Farrer.*) Is this outlying portion of Chelsea in the parliamentary borough of Chelsea too?—Yes.

10,664. (*Mr. Smith.*) You are going to give us some further reasons for the magnification of the vestry and the reconstitution of the vestry. Your suggestions this morning went into very small details; may I recommend you to consider the question of electric lighting as one of the cases in which there is a little overlapping of power, if it has not already occurred to you?—There is, no doubt, overlapping.

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10,665. I should have thought that was rather a more important matter than water-closets or cow-houses, but I only throw it out as a suggestion; I think there is a little over-lapping there?—I should like, if I may be allowed, sir, to urge one further point which my official experience, in more than one metropolitan parish, enables me to put forward, and that is that there is a distinctness and a strong individuality as between the several districts, which I venture to think points to the desirability of there being an elasticity of administration, shall I say, in the various districts, and which goes rather against the idea that the whole of the metropolis can be treated or dealt with as one single unit.

10,666. (*Chairman.*) For all purposes?—For all purposes.

10,667. But does anyone propose to do it?—We hear various——

10,668. Are you not fighting against a windmill?—We hear various schemes and rumours in the air, sir.

10,669. (*Lord Farrer.*) In making out your list you will bear in mind that there are two sides to the question, the question whether there are any things that are now entirely local which ought to be centralised, as well as whether there are any things which are now central which ought to be localised?—Exactly.

10,670. (*Chairman.*) Do you wish to add anything more, Mr. Leete?—Nothing more.

(*Mr. Wheeler.*) I must apologise as my friend has. I have not been able to place before you any separate minute of what I desired to say, but I need hardly say that Mr. Leete has, from the practical standpoint put before the Commission, substantiated all those views that, if I had been alone, I should have put. No doubt I should have approached the subject from a different standpoint, but he has been able to deal with it from a practical standpoint, he being an official of many years standing and clerk to the vestry. My own professional work has placed me in touch with matters of this kind. That is the reason why, probably, my brethren of the vestry have sent me to the Commission here to-day.

10,671. Have you been long a member of the vestry?—I way only returned in May last, but with many of these questions I have been more or less familiar from my practice for some years past in dealing with local authorities, acquisition of lands, opening of sites, &c.

10,672. (*Lord Farrer.*) What is your profession?—I am a barrister, and one of Her Majesty's Counsel.

10,673. You corroborate Mr. Leete?—Oh, quite. His views are mine, and if I may say so, mine are his. We could elaborate many of our views if you gave us an opportunity of so doing. There are several matters which I have taken an interest in; the Open Spaces question, for instance. If I may say so, I thoroughly concur in what you have heard from Mr. Leete with regard to what has been said as to change of name, the term vestry is a distinct hindrance. I was speaking to the son of a very eminent member of Parliament the other day, and he said that he thought it had something to do with ecclesiastical purposes, and he was surprised to learn that it had nothing to do with them. He would have been a most admirable person to have been on the vestry, as he is a man of leisure.

10,674. (*Mr. Smith.*) There is a very general concurrence of opinion about that?—That is so; I think so. Then so far as what your chairman said as to the communication between the central authority, the existence of which we all are clearly agreed upon, I may say that I am thoroughly in harmony with Mr. Leete as to the five first or the half-dozen first, or whatever it may be, being passed on, as it were, from the local authority to take part in the work of the central authority. I think that would bring us all in touch and harmony, and prevent anything like collision of opinion. I do not know, sir, that I should volunteer anything. I hardly followed your reference to Liverpool.

10,675. (*Chairman.*) My only point was this, that you argue that with a population of 166,000 inhabiting a particular area, surrounded by equally dense populations in similar areas, you are, in consequence of the size of that population, entitled to be constituted a county borough of yourselves. The inhabitants of a portion of Liverpool might claim to be set up as a separate borough from the other parts of Liverpool?—I should venture to say as to that that population *per se* is not alone to be looked to, but the whole of the surroundings. The area of Liverpool is some 5,200 acres or so, I think. Our area is about one-third of what Liverpool would be.

10,676. The point I put to Mr. Leete was that if Kensington stood alone, in Warwickshire or Durham or Yorkshire, no doubt it would have been a county borough long ago, but inasmuch as it is surrounded and in touch with the rest of London, its situation is entirely different?—Then the observation of my friend comes in, that the characteristics of Kensington to some extent remove it from a great many of the surrounding boroughs of London. We may say the characteristics of Kensington, as against Whitechapel, or Bermondsey, or anything of that kind. (*Mr. Leete.*) I take it there are a great many places where county boroughs are adjacent to one another.

10,677. Not many I think; it is very doubtful, Manchester and Salford?—Manchester and Salford.

10,678. An opinion has been expressed here that it would be well if they were united, by witnesses having no connexion with either the one or the other?—(*Mr. Wheeler.*) I do not know that there is anything Lord Farrer called my friend's attention to in the theory of area. I do not propose to go into that unless you would desire it, but of course there would have to be some blending of area.

10,679. (*Lord Farrer.*) I only wished to call attention to the fact that if these proposals were adopted that question would have to be considered?—Yes, and possibly upon the basis of a larger area than the metropolitan area as it at present exists, because the metropolitan area as it at present exists, of course, is only a very small part of London—only one-sixth.

10,680. (*Mr. Smith.*) But *de bene esse* we could go on?—Yes.

(*Mr. Leete.*) Would it be desired that I should submit my statement in writing, or would it be the desire of the Commission that I should appear at a subsequent sitting with this further evidence?

10,681. (*Chairman.*) If you will send in the notes of your evidence, no doubt, it would be convenient that you should attend; probably we should require some explanation of some part of it.* If you will send it to the Secretary?—Yes.

The witnesses withdrew.

Mr. G. L. Gomme.

Mr. G. L. Gomme, Statistical Officer of the London County Council, called in and further examined.

10,682. (*Chairman.*) Mr. Gomme, you wish to make some observations with reference to the evidence of Mr. Payne, the Principal Clerk to the Chamberlain of the City?—I do not want to make any detailed criticism, because that would take up more time than I conceive is necessary. There are just one or two questions that Mr. Payne answered in such a way that I think it should be on the notes that we do not accept, and therefore, I propose simply to confine myself to one or two questions such as I think are important.

10,683. What is the first?—The first is in reply to question 6729. Mr. Payne states directly what he

* *See also* 13,215–332.

throughout frequently implies, namely, that he has been quite unable to understand the figures put forward in the Council's analysis "although he and many friends have tried their hands at them." In spite of the inability to understand the principle of the analysis, and without taking into consideration the explanation of the analysis which I gave in evidence (Qq. 3533–78), Mr. Payne assumes that the deficits are said to be made up of certain specified amounts (*see* Q. 6713–20, 6727, 6733, 6760, 6783, 6833), whereas the whole point of the plan of the analysis is to show how far the Corporation met out of its own estates expenditure which it incurred during the year, and what other sources of revenue were applied to expenditure after the exhaustion of revenue from the general estates. This is a perfectly definite plan of analysis, and may be argued against on its merits; but instead of doing this Mr. Payne starts with the assumption that the deficits are said to arise on certain specific services, and then on that assumption he proceeds to dispute the validity of the conclusions supposed to be drawn therefrom. In Q. 6833 Mr. Payne again assumes that the analysis shows the deficit as arising under specific heads of account. Lord Farrer in Q. 6727 distinctly puts this error right, and Mr. Payne's notion of selecting certain items as the cause of the deficiency (*see* Q. 6724), is practically answered from the Council's point of view by Lord Farrer; but it is not accepted by Mr. Crawford (*see* Q. 6734). In no part of the memorandum which attempts to criticise the finances of the City is any allusion made to, still less is any conclusion drawn from, the particular interpretation of the analysis suggested by Mr. Payne. My criticism in no place deals with nor depends upon such an interpretation, so even if there is a colourable pretext for it, it has had no effect whatever upon the conclusions drawn. Another point insisted upon by Mr. Payne as making the analysis "fallacious," is that it mixes up the receipts and expenditure of the Trust Estates with those of the General Estates (*see* Qq. 6727, 6738, 6772–81, 6803, 6831, 6850, 7012, 7022), but this is not the fact, and is really answered by Mr. Payne himself in his remark at the end of his answer, "that Mr. "Gomme has dropped these balances in some way which "I am perhaps not able to explain." The needful explanation is to be found in my evidence, summed up by the question put to me by the Chairman (Q. 3544). In Q. 6738 Mr. Payne himself further shows that no "mix up" of the Trust and General Estates Accounts has been made in the Council's analysis; but in Q. 6831 he reiterates that such a "mix up" has been made, and applies to it the expression "misleading and fallacious," and in Q. 6833 he makes the most remarkable statement that I *exclude* the revenues from markets, and *include* revenues from Gresham and other trust properties, which is exactly the reverse of what I have done. At Q. 6768 Mr. Payne raises the point that the payment by the City of debt on account of the Holborn Valley Improvement was not an obligatory payment, inasmuch as there were assets on the Holborn Valley Improvement to meet it. This is true; but the assets, nevertheless, were not, as a matter of fact, realised, and applied to debt, so I thought it right to give the Corporation credit for a little foresight in endeavouring to meet a part of the inevitable deficiency in the Holborn Valley Improvement Account. It, of course, lessens the final deficit estimated on p. xxxi. of my memorandum. The mere postponing of payment from one year to a future year, which is the only course suggested by Mr. Payne's answer, does not make a payment on account of an anticipated liability less obligatory, and it may be, and indeed no doubt was, an act of financial prudence to pay off this debt out of City's cash. Mr. Payne's estimates of exceptional expenditure (*see* Q. 6796) are not stated in detail, but it is clear from the Chairman's question (6797) that a good deal of the items included by Mr. Payne are those included in my analysis as "optional," and therefore, in the sense applicable to the analysis, are not exceptional. It is impossible to accept Mr. Payne's definition of exceptional expenditure in its application to the City finance, because if it is all deducted from the deficits and still goes on year after year it does not make the deficits less real.

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10,683*a*. (*Lord Farrer.*) You mean you cannot treat expenditure as exceptional because it is optional?—Quite so, my Lord, that is it.

10,684. (*Mr. Smith.*) And it is constant?—And it is constant. It is not only optional but it is continuous; if you do not get it in one way in a year you get it in another, under a parallel head, although not exactly the same thing, and it does not do away with the deficit in any case even if it is exceptional. At Q. 6851 and 7012 Mr. Payne suggests that the Council considers it necessary, in order to adjust the receipts and expenditure of the Corporation, to impose on the inhabitants of the City an additional rate. This is not so. In estimating the financial result of unification, I have taken into consideration the sweeping away of the present exemption of the City from contributing its full quota to London government. This would be quite apart from any deficiency or surplus in the City's Estates, and is contemplated by the Local Government Act, 1888 (Sect. 14 (7)). Whenever accomplished, there would be a levy upon the City for that portion of the county rate which it now escapes. One of the results of unification would be to hasten this rectification of existing inequalities of rating, but it is an unfortunate fact that the county ratepayers will not benefit from this if the debt on the City Estates has to be liquidated by an annual payment spread over 30 years, as I have estimated. The point is, that I do not suggest that it is necessary to rate the City in order to meet this deficit, but that the rate on the City would be incurred under any circumstances, but that it would be swallowed up in consequence of the deficit on the Estates.

10,685. (*Chairman.*) If you undertook to pay off the debt, that would wipe out the additional produce of the rate brought in?—That is the way I have suggested it. Then finally, I examined the accounts of the City as the accounts of a municipal authority, whereas the City, by the peculiar system of accounts which it has adopted and upholds (Q. 6668), together with its elaborate system of audit (A. 6687), which, however, does not prevent mistakes (*see* analysis, pp. ii. and xxxi.), relies, through the evidence of Mr. Payne, on the receipt and expenditure of cash during the year without considering the sources from which that cash has been received, whether it be capital or revenue, and apparently being quite satisfied if at the end of the year there is a cash balance in hand wherewith to begin the new year. I did not, for the purposes of the analysis, dispute the City's right to transfer from the reserve fund or from any other fund moneys to the City's general cash, but I interpreted these transfers in their financial aspect, and practically put before the Commission the state of the receipts and expenditure for the four years on revenue account only, the result shown will be the exact position of the City itself when they have exhausted the sums at their disposal to feed deficiencies on the revenue account, unless, indeed, they make considerable retrenchment in their expenditure. At Qq. 6854–9, Mr. Payne asserts that the markets during the period from 1854 to 1892 have resulted in a loss to the Corporation of 30,000*l*. I have examined the market finance of the Corporation at some length, and a statement is being prepared for the Commission which will show that this estimated loss is not borne out by the published figures. I am not ready to put in that yet, sir, but just simply state the fact.

The witness withdrew.

Mr. C. W. Tagg.

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Mr. CHARLES WILLIAM TAGG, Vestry Clerk of Camberwell, called in and examined.

10,686. (*Chairman.*) You are the Vestry Clerk of Camberwell, Mr. Tagg?—I am.

10,686*a*. Have you any experience in relation to other areas which are governed by vestries?—Only Camberwell.

10,686*b*. How long have you occupied your position of vestry clerk?—I have been vestry clerk for about 16 months, but I have been in the vestry office for about 13 years.

10,687. You have risen to the position of vestry clerk?—Yes, I entered as a junior.

10,688. Camberwell is a very populous area?—Yes, we have a population of about 250,000; at the last census it was about 235,000 I think.

10,689. A growing population?—It is largely increasing; we have a great deal of uncovered land at present.

10,690. And land liable to be covered?—It will be covered, yes. I have a map with me showing the extent. We stretch from Bermondsey to the Crystal Palace.

10,691. Is part of Dulwich in your area?—Dulwich is included. We have three parliamentary divisions. We go from Bermondsey to the Crystal Palace; we take in part of the Palace, and we go nearly from New Cross Gate to Camberwell Gate.

10,692. You are a wedge shaped area, with the point of the wedge just opposite the Crystal Palace Hotel?—Running north and south.

10,693. And the southern half is the part in which you may expect a considerable increase of population?—Yes, that is the Dulwich College Estate, Edward Alleyn's. It is being developed now rapidly. We have an acreage of 4,342; the population at the last census was 235,312, and the rateable value at present is 1,049,762*l*.

10,694. How many members of your vestry have you?—We have 84 members, and the *ex-officio* members, the vicar and churchwardens.

10,695. After November these will cease to exist?—No, sir, they do not cease to exist, they are continued as at present, only the vicar ceases to take the chair by right; under the Local Government Act of 1894 those sections are not repealed.

10,696. (*Mr. Smith.*) It escaped somehow, I believe?—It was mentioned in the Commons, I believe. The Government preferred to have the Church in communication with the vestry; they would keep the control of the vestry over the Church as far as the election of churchwardens was concerned.

10,697. And they dissociated them in all the other parishes of England?—Except in London.

10,698. Eminently English legislation.

10,699. (*Chairman.*) You have six wards?—We have six wards. We are applying to the County Council to increase the number of our wards. The County Council have power to increase up to eight; it is doubtful, under the new Act, whether they have power to increase beyond eight, the wording is so obscure.

10,700. Beyond eight wards?—Yes. Under the General Powers Act of last session they have power to divide us up into not exceeding eight wards; we really want nine, but whether they have any power in London—a County Council in the country (outside London) undoubtedly has power under this Local Government Act—but whether they have power in London they have not decided. We have three parliamentary divisions, and we really want three wards for each division. We have in North Camberwell three wards—that is on the north of the map; we have two wards in the Peckham division, and only one ward in the Dulwich division; but in the Dulwich division we have Penge tacked on to us—that is the only case where Penge comes into the county of London. Really it is detached for all other purposes—for school board purposes I think it is in the Greenwich division, for certain poor law purposes I believe it is in the union of Croydon, and for County Council purposes it is in the Dulwich division. It was really put on by the commissioner—I was present at the time—to give the population; to bring up the population.

10,701. (*Lord Farrer.*) Was that the object of bringing it in?—Yes, that was; it was really to bring up the population, but it is most inconvenient. It is associated in no other way with Camberwell.

10,702. (*Mr. Smith.*) Penge occupies the honourable position of being the best representative of the English system?—As being most anomalous. It came up recently at conferences we have had with the County Council for assessment purposes. Penge has to be brought specially under that Act.

10,703. (*Lord Farrer.*) The Council is obliged to have a separate assessment committee for Penge?—They are proposing in the new Bill to bring Penge, for the purposes of that Act, into the County of London.

10,704. But at present there is in the Council a separate assessment committee for Penge?—Yes, it is a distinction.

10,705. (*Chairman.*) The members of your vestry are elected in thirds every year?—One-third retire annually.

10,706. And the representation of each ward is therefore a multiple of three?—That is so, yes. We have very spirited contests in Camberwell, for the elections there are fought politically in nearly every ward. A man has to poll, now, about 1,000 votes in order to get in; that is very different to what it was a few years ago, then it was merely a show of hands in the ward mote; a ballot was very seldom taken. In Camberwell, you may notice that they have practically, on my appointment, gone on the lines of a corporation of a borough; they have made me clerk to every authority in the parish except those having to do with poor law purposes. I hold that at an inclusive salary. I am really clerk to every body under the parish, with the exception of the guardians. I do not know that there is any other case in London where that has been done.

10,707. Camberwell is possessed of considerable charitable estates?—Well, it is not very fortunate in that, it has an income of about 1,100*l*. or 1,200*l*. a year from charitable estates.

10,708. It appoints a special committee for the distribution of those funds?—That is under our local Act, yes. We have two or three local Acts, the most important is a local Act of 1833, nearly all the provisions of that are repealed, but there are a few remaining. The charities are administered under that Act, collected and distributed.

10,709. And you have also considerable interest in the Dulwich estates?—Yes, we elect two estates governors. There are eight estates governors. There are four parishes interested in Alleyn's College, we elect two, St. Botolph, St. Luke, and St. Saviour elect the others. The college, of course, is in our parish, Alleyn settled there when he retired from play-acting. He was lord of the manor of Dulwich.

10,710. You have a certain number of standing committees appointed by your vestry?—Yes, we have standing committees, sir, practically five standing committees, the general purposes committee, the finance, law and parliamentary committee, the sewers and sanitary (public health) committee, the plant and scavenging (public health) committee, and the educational endowments committee.

10,711. What are those educational endowments, are those parts of the charities to which you refer?—No, the object of that committee, "(1.) To watch "the interests of the parish, with regard to the "'foundation of Alleyn's College of God's gift in "'Dulwich,' and (2) such other educational endowments as the parish may be interested in."

10,712. Are there any other?—Well, we have a Camberwell Grammar School, a grammar school left

by Edward Wilson in 1615; and we are interested as far as that our churchwardens are *ex officio* governors, the vicar is governor, and we have an interest in that. Then we have other schools. We have had, charity schemes at various times dealing with educational foundations in the parish. The educational endowments committee watch the interests of the parish in regard to those schemes, really.

10,713. To try and bring them into some sort of relation with one another?—We try to get the interest of the parish more largely developed in the scheme, really. We have a Datchelor's School; that is a charity, one of the City charities.

10,714. What school?—St. Mary Datchelor, a charity from St. Andrew Undershaft, in the City.

10,715. A parish in the City?—It was a City charity; by accident they built the school in the parish of Camberwell; they had to be within three miles of the City, now we have the school there. It is a girls' school. We recently had a new scheme by the Charity Commissioners for handing over the management, on payment of 400*l.*, to the Clothworkers Company, and we have been trying to prevent that with the Charity Commissioners, we have had an objection.

10,716. Is it still in dispute?—No, it is practically settled. They over-rode the objections of the vestry. It was shown that the school would be unable to go on unless they had a subsidy from the Clothworkers' Company; that is practically what it was.

10,717. But have you any connexion with the school except that it had been by chance located there?—I am afraid not. The only connexion we have with it is in the bulk of the scholars—two-thirds or more of the scholars are Camberwell residents.

10,718. How did that come about?—It is an ordinary day school for girls—nine pounds a year—so it is a middle class school.

10,719. And no limitation of numbers?—Oh, no; it is a very large school.

10,720. Now your position as clerk in respect of many matters concerned in the parish—that is an arrangement which the vestry have come to among themselves?—Yes; really they have come to an arrangement with the various bodies that they elect from themselves. By virtue of my office of vestry clerk, I am clerk to the assessment committee and also to the trustees for charity estates, but the Commissioners of Public Libraries, of course, and the Commissioners of Public Baths, and the Burial Board, can appoint a separate clerk if they wish to, but they merely appoint me as clerk.

10,721. The power of the vestry among the Commissioners of Libraries has been such as to obtain your nomination as clerk to the Commissioners?—Yes. Previously to my appointment I had acted as assistant clerk to these Commissioners.

10,722. And so with respect to the Commissioners for Baths?—Exactly so.

10,723. But that is an arrangement which might be altered at any time, if it pleased the vestry or circumstances rendered it desirable?—Oh, of course, or the Commissioners might alter it at any time.

10,724. The vestry only have a share in the Act of the Commissioners?—The vestry hold the purse-strings for the Commissioners, they have to sanction their expenditure; they hold it in that way.

10,725 (*Mr. Smith.*) It is a step towards amalgamation, I suppose?—The idea was to make it exactly on the same lines as the Corporation, the town clerk.

10,726. That is as regards the officer, but was there any idea of amalgamating the Commissioners and the vestry?—Oh, yes; the idea of the vestry is that the whole of these bodies should be elected from themselves as a committee, as a corporation committee.

10,727. (*Chairman.*) But does the vestry hold the purse-strings of the Commissioners of Libraries?—They have to sanction the rate every year; they have to seal the precept. They sanction the precept, which is passed on to the overseers for collection.

10,728. But (within a limit possibly), have not the Library Commissioners power to require that that shall be done?—I am not aware of it.

10,729. (*Lord Farrer.*) Is not the precept an order?—No; the order has to go to the vestry; the vestry make the rate in Camberwell.

10,730. (*Mr. Smith.*) But is it only ministerial that duty, or have they a discretion?—I think it is only ministerial; when the Act has once been adopted, I believe they have to make the rate.

10,731. (*Chairman.*) A mandamus would lie if the vestry refused to make the rate?—It is a ministerial act, of course, but it is different, I think, with the Baths' Commissioners. With regard to the baths, the vestry adopted that Act really.

10,732. You would scarcely say that the vestry held the purse-strings if they were compelled to levy the rate?—No.

10,733. (*Mr. Smith.*) On the other hand, under the recent Libraries Act, if you were establishing libraries for the first time, the consent of the governing body, which would be the vestry, would be necessary?—Exactly; under the 1892 Act.

10,734. Instead of the plebiscite that we used to have?—Yes.

10,735. (*Chairman.*) You spend, I see, a considerable amount in wages every year?—Yes; we do all our own work in Camberwell; the whole of the workmen are employed by the vestry.

10,736. (*Lord Farrer.*) Do you make your own sewers?—We make our own sewers only to an extent.

10,737. Or do you do them by contract, any large sewers?—We do them by contract, any large sewers. We have a new sewer we are making now, which is to cost 2,000*l.*; we should advertise that for contract. We have just been going into that question about doing our own sewers work, and we have had replies from all the London parishes, and the conclusion the committee have come to in going into those replies on the question of cost, is that it is more advisable to do it by contract—the sewers work—than it is to employ their own men.

10,738. Is that the result of inquiry among parishes?—Yes, that is the sense. With sewers jobbing work you may have a great many men employed for a week, and you may have nothing for these men to do for the next fortnight. With a contractor he can take them on from day to day, but with the vestry once they are on the permanent staff they are very difficult to dismiss.

10,739. (*Mr. Smith.*) It depends a good deal on the size of the governing body?

10,740. (*Lord Farrer.*) And on the amount of work they have got to do?—In some vestries they do it; all sewers and drains of private owners, they do it by contract.

10,741. (*Chairman.*) Can you tell us how much you spend in wages every year?—31,205*l.* 19*s.* 11*d.*

10,742. Half of that, or rather more than half, is spent in scavenging?—Yes; 16,047*l.* 2*s.* 1*d.* is spent in scavenging, and the highway rate is rather heavy, 7,127*l.* 8*s.* 3*d.* We pay for wages there: Sewers, 2,118*l.* 17*s.* 7*d.*; and dusting, 3,138*l.*

10,743. Have you a street-sweeping machine?—Oh, yes, we have four or five horse-brooms. We have three steam rollers, and we are hiring another at this moment. We are using four to-day.

10,744. Is there any movement being made to do away with these horse-brooms?—There was a motion during the unemployed agitation, three months ago, in the vestry to dispense with horse-brooms and employ manual labour in the place of them.

10,745. It did not succeed?—It was ridiculed in the vestry.

10,746. It has been done in some other parishes in London, has it not?—I do not know; it would not be done in Camberwell.

10,747. You are not aware that it has been done in Bethnal Green?—I am not aware whether in Bermondsey it has not been done. They are very strong on the labour question there.

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10,748. (*Mr. Smith.*) Yours is not quite a labour population?—Not quite; many clerks.

10,749. Clerks I was going to say?—The party of labour and the opposite party in the vestry are about equally divided at the present time. The vestry put on 30 extra sweepers a few months ago; that means about 2,000*l.* a year. The labour party put them on. Our estimates at the vestry last night were reduced 5,000*l.* upon the figures asked for.

10,750. Do you mean that they put these gentlemen on and refused to pay them, would not find the funds?—Oh, no; I mean in submitting our estimates for the new rates last night at the vestry.

10,751. You voluntarily reduced your estimate?—The vestry struck out 5,000*l.*, without saying on what items the saving was to be effected. They said practically, "You will have to carry on the business for the next 12 months on 5,000*l.* less."

10,752. 3,000*l.* having been previously spent on extra labour?—Yes, how it is going to work out, of course I do not know. Next year we shall know how much short we have come up on the rate.

10,753. (*Chairman.*) Have you any suggestion to make as to altering the governing body in Camberwell?—No.

10,754. Would you alter the style and dignity of the governing body?—Well, the idea is to have it with the same powers as a Corporation. I do not mean to establish a corporation in Camberwell, but to have a body with similar powers, so that they elect the various bodies from among themselves; not have Baths Commissioners, and Libraries Commissioners, and all these separate bodies, to have them all elected from the one body.

10,755. That is to have within the local area of Camberwell, for purely local functions which are now discharged by different local bodies, one local body?—Exactly. Some of the members of the vestry have expressed a desire to be present at meetings of Commissioners of different bodies; the Commissioners of course regulate their own sittings, and say they shall not have anybody present unless they like. The vestry have an idea that if they elect from amongst themselves, they would be able to control them.

10,756. Have you any suggestion to make as to the division of powers between the vestry and the London County Council?—Yes. I will only say, as far as our experience in Camberwell has been concerned, we have worked exceedingly well with the London County Council. We have had a little friction with them, but it has been really on not very important subjects. We asked them to contribute to the cost of main roads under the powers they have, but all the other London vestries did the same, and the Council refused.

10,757. No more difficulties than will arise between men of sense, and settled as men of sense will settle them?—Precisely. They applied to us, as the local authority, for liberty to erect overhead wires for their fire alarms. The Vestry of Camberwell have set their faces against overhead wires, and they refused their sanction, stating that they considered that the wires could be as effectually laid underground. The Council said it would cost double the money, and refused to lay them underground; the consequence was that they dispensed with several fire alarms in the Dulwich district to save the expense. The Vestry of Camberwell say the question of expense should not come in. We have had a dispute with them, a slight dispute on the question of assessments you know, but nothing at all serious. We have not had any appeals to the assessment sessions against the County Council, nor the County Council against us.

10,758. You do not propose that any duties now vested in the County Council should be transferred to the Vestry?—Oh, I think, if you had a powerful local body, there are many Acts that are now carried out by the officers of the County Council that could be discharged by the officers of the local authority.

10,759. Well, can you give us some few of the powers that might be transferred, with advantage, from the County Council to the district?—I think the Petroleum Acts; they have inspectors under the Petroleum Acts. We have in Camberwell fourteen sanitary inspectors, and the chief inspector, and other inspectors, practically going over the same ground as the County Council inspectors, for many purposes; so that these men could carry out these Acts at the same time and at the same salary. Locomotive Acts—of course, they are regulated by byelaws made from a common centre; they could be carried out, I think, by the local authority instead of by the central body. Slaughter houses: the regulation of slaughter houses at the present time is vested in the County Council: I think our sanitary inspectors would be able to carry out these. The same remark applies to cowsheds. Cowsheds are under the control of the County Council inspectors at the present time; but really as to the drainage portion of them they are under the local sanitary inspectors. So that you have both inspectors always over-running the same cowshed, and so occupied in what one man could do. The Infant Life Protection Act—that is, the registration of boarded-out infants; I think that could be done by the local authority; because we are to-day carrying out the registration of houses occupied by members of more than one family. We have a special inspector carrying out these duties; we could easily carry out the provisions of the Infant Life Protection Act.

10,760. It is a voluntary Act—the registration?—No; that is under the Public Health Act, and under the Sanitary Acts the vestry could make byelaws, and have the sanction of the Local Government Board, dealing with houses occupied by members of more than one family; and there is a provision in the Public Health Act of 1891.

10,761. Is it a compulsory duty, or a voluntary?—It is made compulsory now under the Public Health Act of 1891. But we had already adopted the byelaws before the passing of that Act. We adopted them four or five years ago; and we do that.

10,762. Do you think the Infant Life Protection Act might be administered by the vestries as well as, or better than, by the county?—I do not think it would be done better; but I say the men are visiting those houses for sanitary purposes, and they could enforce the registration of infants.

10,763. You think there is an economy in the non-duplication of officers?—At the present time, you see, you have sanitary inspectors, London County Council inspectors, Home Office inspectors, and Local Government Board inspectors—all going over the same ground. It practically can be carried out by the same man in the local area; and it would be a greater convenience to the people in the local area to have a central authority in their own district to go to. For these purposes at the present time they have to go to Spring Gardens or they have to go to Whitehall. And there are the Factory Acts. We have powers under the Public Health Act, of course, in regard to the Factory Acts now; but I think our powers might be extended, and we might have more powers given us under the Factory Acts. Then, Technical Education Acts, and Schools of Science and Art, we have no power to establish those. That is vested in the County Council for London. We should be very pleased to push those forward in Camberwell, if we had the power to do it.

10,764. You think it would be convenient, if you had the power, for the vestry to be able to suggest to the County Council, "We will undertake to discharge "this and that function for you if you will give us "the authority to do it"?—No. I think rather the idea of the vestry is that, if they are going to carry out these Acts that I am suggesting, they should have a free hand to carry them out. They do not want to be under a central authority, to be forced to carry them out. They want to say, "We are fit to carry "out these Acts, and we are prepared to carry them "out."

10,765. If they propose to carry them out, there is not much harm in their being under an authority

which requires them to be carried out. Might it not be convenient for the County Council to be able to employ the vestry to execute some of the functions, and for the vestry to be able to say to the county council, "We are willing to undertake all these "particular tasks if you will consent." Then you would have the vigilance of two officers to see that the thing was done, although only one body might do it?—Yes; but I do not think then you would dispense with the extra officers; you would still have the officers in existence in both bodies.

10,766. Yes; according to that suggestion, you would?—There would be some parishes that would not ask the County Council; they would have to enforce these Acts in other parishes. In other parts of London they would be administered locally, and therefore, they would want their inspectors there.

10,767. You think in some parts of London you would not get the local authorities to carry them out, or wish to carry them out?—No; that might be so.

10,768. That is rather an argument in favour of retaining them in the central body?—No. I am dealing, of course, with local authorities as at present constituted. You must remember that you have about forty local authorities now in London, with the vestries and district boards. But, I suppose, you would make larger areas for local authorities than you have at the present time; in this case make them larger bodies, probably cut down one-half.

10,769. Not larger than Camberwell, I suppose?—No, I think Camberwell ——

10,770. Is big enough?—Can stand on its own bottom.

10,771. (*Lord Farrer.*) You have not gone into the technical education question, I suppose, have you, at all?—We have not done anything with it, beyond looking and finding that the power was vested in the county council.

10,772. The endeavour on the part of the County Council, as I understand it, or rather of the separate committee or board that they have appointed for the purpose—is to deal with London as a whole, and provide secondary education in different parts of London on a general scheme?—Yes; I understand it so.

10,773. Then that would be difficult if you divided the grant among all the different parishes, would it not?—Yes; there might be a difficulty in that. But I expect there will be a separate Education Board for London some day to deal with all these matters.

10,774. (*Chairman.*) An Education Board for the whole of London?—An Education Board for the whole of London, to deal with such matters.

10,775. That will supersede the County Council?—That will supersede the County Council for that purpose.

10,776. (*Lord Farrer.*) And the School Board, and all?—And the School Board, and all. The same, as I think, there will be one for poor-law purposes, asylums, and so on. Then the Shop Hours Act is an Act we could carry out locally. I think that is really a registration Act; seeing that shop assistants shall not work longer hours than is necessary. And the Weights and Measures Act, I think that is an Act that could be carried out.

10,777. (*Chairman.*) You think there would be sufficient vigilance in enforcing the Shop Hours Act in every part of London?—Oh, yes.

10,778. That there would not be a possibility of local influence being employed to nullify the Act in some districts, which would be powerless in the whole of London?—Well, we have not found that with our sanitary inspectors. We have had the chairman of our sanitary committee being prosecuted by one of our sanitary inspectors.

10,779. The local sanitary inspector prosecuting the chairman of the sanitary committee?—With a view to showing that he was quite impartial in carrying out his work.

10,780. Is the chairman still chairman?—No, he has been removed by the ratepayers.

10,781. (*Mr. Smith.*) Perhaps it is more important to ask if the inspector is still inspector?—Yes.

10,782. (*Chairman.*) I was going to ask which of the two has gone?—Oh, yes; the inspector is still with us. Still, I mean I really think those officers ought to have some central protecting authority, some sort of central court of appeal, that in case they enforced these things they could appeal. If I were a sanitary inspector I do not know that I should prosecute the chairman of my sanitary committee, because he could remove me by his casting vote. It was rather a bold thing for a man to do.

10,783. There is a good deal to be said on both sides?—There is.

10,784. About the sanitary local authorities in the matter?—There is the Weights and Measures Act; I think we could carry that Act out. We have now separate inspectors down for that. The Wild Birds Protection Act; that is administered by the Council now, I think.

10,785. What wild birds do you protect?—In the Dulwich district we have a great many—we have nightingales still.

10,786. In the Camberwell Grove and Dulwich?—Yes.

10,787. You have got on very admirably with the County Council?—Oh, yes, we have—very.

10,788. Have you any suggestion to make as to the establishment of any mode of joint working between the vestry and the County Council; or would you leave it as now, and when any matters arise that they should communicate informally together?—In what way do you mean, sir, alternatively?

10,789. Could you conceive of any formal representation of the vestry on the Council Council, or the County Council on the vestry?—You mean on the principle of the late Metropolitan Board of Works, in that way?

10,790. Anything of that kind?—Well, in our case one of the members of the County Council for the division is a member of our vestry, but I do not know whether the members of the County Council for the division might not be members of the local authority, at the same time, by virtue of being members of the County Council. I think that is the easiest way of communication, because one of our members now is a member of the County Council. He can often explain points of difference between the County Council and the vestry, which are being debated.

10,791. The advantage arises from the fact that a man is a member of both bodies?—It is a distinct advantage.

10,792. That might be some element of chance, it might be even more?—Yes, we had one or two members of the Council who were members of our vestry, but they said the Council and committees took up so much time that they had not time to give to the vestry, that is how it is worked.

10,793. You would rather look favourably upon a proposition which made members of the County Council members of the Camberwell District Vestry?—Yes, we have always thought that.* We send them copies of our agenda and minutes now to keep them posted up; we always get great assistance from our local members. I am personally acquainted with all of them. If we are in any difficulties we see our local members.

10,794. You do make representations to your local members with respect to matters occurring in the County Council which touch the locality?—Yes, any resolution we send to the County Council we invariably send also to the members for the borough.

10,795. Has this member of the County Council, who is also a member of the vestry, been long a member of the vestry?—Yes, I think he has been a member nine or ten years.

10,796. (*Lord Farrer.*) Who is he?—He is Mr. Sears. He is also the Chairman of our Commissioners

* Note.—Mr. Tagg subsequently wrote to say that he thought that if local authorities were created, with increased powers, the elected chairman might be an alderman of the county council or central body.

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of Baths; takes a great interest in public baths; he really got the Act adopted.

10,797. (*Chairman.*) Your vestry had a meeting in March last year, which considered the subject of local and central bodies?—Yes, it passed resolutions.

10,798. What occurrences produced that meeting?—Well, I do not know really what. The subject was brought up by members through our law and parliamentary committee; they made a recommendation to the vestry. The recommendation came to the committee through a meeting that was held in the parish in regard to London government, and resolutions were passed at that meeting, and forwarded to the vestry. The vestry have really adopted these resolutions. I think I have them set out on that paper.

10,799. They reproduced them?—Yes, they practically adopted them.

10,800. What caused the meeting to assemble in the first place; was there any special reason for it?—No, it was only an ordinary meeting at a chapel, I think. I do not think there was any special reason. I know I was at the meeting. One of the members of our vestry gave a lecture on London government or something of that kind; it was an interesting lecture; it was, however, I think, on the parish of Camberwell, and these resolutions were passed at the end of the meeting.

10,801. Then the vestry took them up and passed them again?—They adopted them.

10,802. Now I propose you will read the first one?—"That this vestry requests Her Majesty's Govern-
" ment to at once complete the endowment of London
" with powers of self-government necessary to secure
" the health, comfort, and prosperity of its people by:
" 1. Re-adjusting and concentrating the powers of
" the London County Council so as to make it a
" strong central municipal authority for the control
" of all matters which concern the metropolis as a
" whole."

10,803. Stop now, if you please; how do you in particular, or in what respect, did that meeting, or does your vestry, desire the London County Council to be made stronger as a central municipal authority?—I think from the lecture the idea was to absorb the City in the London County Council, and make it the central municipal authority for the control of all matters which concerned the metropolis as a whole, to treat London as one.

10,804. That pointed to the merger of the City in the administrative county?—Make one strong central municipal authority for the whole of London. I know this lecture was directed against the City and the City funds.

10,805. It did not point to any addition to the powers of the County Council outside the City, over Camberwell for instance?—No. With respect to the control of the police, which was one of the questions, I believe, that was one of the suggestions that they should have the control of the police, of the docks and river of London, I think. This was in 1892, I think.

10,806. 1893?—Well, it was before the ve.try in 1893, but the meeting was sometime before.

10,807. Was this resolution agreed to pretty unanimously?—Oh, yes, I believe so; I can tell you that. Yes, there was no division on it nor an amendment. I have a copy of the minutes of the meeting here.

10,808. Now pass to the second resolution?—2. Consolidating, by the creation of district councils or otherwise, the various bodies exercising municipal functions in Camberwell, and in other similar administrative areas, and extending their powers so as to form compact and effective local municipalities.

10,809. Now, as I understand that, it does not mean that powers should be taken away from the County Council to be exercised by one body in Camberwell, but that the different bodies having functions in Camberwell should be, as far possible, united together?—That is the idea.

10,810. Whatever the one united body should be called?—Just so; yes. The idea is, as I explained to you, to make all these various commissioners in different bodies committees of a single body.

10,811. Composed of one guiding body in Camberwell?—That is so.

10,812. Would you christen it by a new name if it were enlarged and magnified?—Abolish the name "vestry."

10,813. Would you call it by another name?—Well, I should call it by another name.

10,814. What?—I do not know what name I should call it by.

10,815. (*Mr. Smith.*) Any other name?—Yes, any other name

10,816. (*Chairman.*) District council?—Either district council—I do not know any better one at the moment.

10,817. Mayor and councillors, would you call your chief man a mayor?—Well, I do not know, I am sure, what to say about that, whether it would be an advantage to have a man as a mayor for a place like Camberwell even. At the present time there is no great inducement for a man in Camberwell to go into public life, but his desire to serve the ratepayers, I mean he has absolutely no reward, nor any promotion, nor any position, he is not even an alderman.

10,818. But the Mayor of Camberwell would be a personage?—It would be a distinct personage. I mean the other day, for instance, we had the Prince of Wales down to open our central library in Camberwell. Well he was not received by the vicar of the parish, he was received by Mr. Whiteley, chairman of the Commissioners, who takes the chair at the meetings of the vestry. In the ordinary course he would have been received by the mayor.

10,819. (*Mr. Smith.*) If he were a mayor he would wear a chain?—Yes.

10,820. (*Chairman.*) Whether the powers of the vestry were enlarged or magnified or not, you would give him a name of some dignity as the chief man for the time being in Camberwell?—I am certainly of opinion that there should be some reward for a man.

10,821. (*Lord Farrer.*) And that would be a reward, to give him some title of that kind, a thing that people would care about, that people of ability and position would care about?—We only had that case before our vestry. We were proposing to send up names of members as magistrates for Camberwell, for the county of London, rather; we had not had any appointments in Camberwell recently, they had been making some fresh appointments, and really to honour some of the members they thought they would send up some of their names to the Lord Lieutenant for appointment, and the debate was really on that subject; that at present there was no inducement for a man to serve.

10,822. (*Chairman.*) Then you had a third resolution passed?—Yes. 3. Creating and consolidating similar central and local authorities for: (*a*) poor law business; (*b*) educational matters.

10,823. You proposed to have a separate authority for poor law?—Yes, that was the proposition.

10,824. Not to give the district council poor law authority, but to have a separate body?—That was the suggestion.

10,825. Was it suggested how that body should be elected?—No, there were really no details given.

10,826. Why; was not that part of the business of a committee of that one body?—I do not really know. You see the functions of the guardians are distinctly different to the functions of the vestrymen or district councils, they really have the administration of relief, cases of poverty come before them.

10,827. Your own view is that the business is so different, and so important, that it is well to have a separate board administering it?—Yes, I think so; I am inclined to think so.

10,828. That, at all events, was the view of the vestry?—That was, yes.

10,829. Every body is supposed to be desirous of taking more power to itself, and the vestry desired to

absorb the Library Commissioners and the Bath Commissioners and others, but it recognised that it was well to keep the poor law work outside itself?—Yes, that is so. We have a very poor district in Camberwell. I mean to say we have an interest in educational matters, sub-section (*b*) relates to educational matters, that is, to create an educational central body, really extending the powers of the school board, and I suppose to take in all other educational matters. The fourth resolution was "4. Re-adjusting "the incidence of local taxation in London, so that the "cost of such government shall be equitably dis- "tributed over the whole area, and over all sections "of the community." That is the difficult point of London Government.

10,830. That points to something like an equalisation of rates?—Yes, but you see at the present moment we are the collecting authority for all central bodies in London, for all the spending bodies, and people naturally suppose that the vestry is spending 6*s.* 6*d.* in the £, that is the amount of our rates to day.

10,831. You run up to that, do you?—As matter of fact the expense that we are responsible for is about 1*s.* 11½*d.* out of that 6*s.* 6*d.*: that is all we are directly responsible for. We are printing it in red ink on our demand notes. At the same time people have an impression that the vestries spend the whole of the money, whereas it is the Asylums Board and other central bodies not directly elected.

10,832. Do they think you are responsible for the expenditure of the Police, School Board, and the Asylums Board?—Yes; we show in our annual report how the money is really distributed that we collect; I think I show in the paper really how it is disposed of.

10,833. The vestry have spent, apparently, 81,000*l.*—nearly 82,000*l.*—out of 295,000*l.*?—That is so, sir

10,834. You will see it in page 109. Poor Law, 54,000*l.*; County Council, 54,000*l.*; School Board, 45,000*l.*?—Yes. Vestry, 81,842*l.* 19*s.* 3*d.*; Baths and Washhouses Commissioners, 3,735*l.*; Guardians for Poor Law purposes, 54,295*l.* 10*s.* 7*d.*; Library Commissioners, 3,921*l.* 14*s.* 4*d.*; Police Authorities, 21,604*l.* 6*s.* 8*d.*; Asylums Board, 19,146*l.* 13*s.* 5*d.*; County Council, 54,010*l.* 16*s.* 6*d.*; School Board, 45,020*l.* 14*s.* 8*d.*; and Poundage Establishment Charges, Rating Department, &c., 6,777*l.* 11*s.* 6*d.* You see our difficulty is this, we get a precept from the County Council or the Police to collect so much money, but we really have to add 10 per cent. on to that.

10,835. (*Mr. Smith.*) For expense of collection?—We have ten per cent. for deficiencies on the rate for empties, the allowance to the owners. We have just been dealing with that question of compounding in Camberwell.

10,836. So that the nominal amount of the precept on you is less than the actual sum you have to collect?—We really have to collect more than the Council ask for; we have to levy for more though we have to collect the same amount.

10,837. (*Lord Farrer.*) You have to pay the Council that sum, and when you come to collect that from the inhabitants, there are all sorts of deductions that you have to make?—Yes, a penny rate should produce 4,500*l.*, as matter of fact it produces about 3,900*l.*

10,838. (*Chairman.*) But your fourth resolution pointed to very much more than what you have now been explaining?—Oh yes, it does; but I say one of the difficulties with a London vestry is having to act as collector for all the rates, for all the other bodies. That accounts for the abuse of London vestries that their rates are so heavy. Really, for what we are responsible we should have a very low rate.

10,839. (*Lord Farrer.*) You have the unpopularity of collecting taxes for other people?—Exactly, and we have to bear the cost of collection.

10,840. (*Chairman.*) Your fourth resolution, which we are still on, points very much to the unity of London?—Yes, as far as the rating of London is concerned, the Equalisation of Rates Bill, that Bill coming up this year would have benefited Camberwell to the extent of about 5*d.* in the £, because it was based on population.

10,841. And you recognise very strongly that London is one community?—As far as the poor law is concerned.

10,842. As far as payment is concerned?—As far as payment is concerned. Of course there is the proposition now to equalise the whole of the rates of London for all municipal purposes, and there is a conference being held at St. Luke's, convened by St. Luke's Vestry, now sitting.

10,843. St. Luke's, Clerkenwell?—St. Luke's, Clerkenwell, now sitting on that subject, and they have passed a resolution that the whole of the rates should be equalised, not in accordance with the scale laid down by the Bill before the House in the last session of Parliament, but on a different basis altogether, that would make St. Luke's benefit to a larger extent. I mean, under that Bill, St. Luke's got a very small amount, but under the new scheme prepared by their vestry clerk, it would stand on a very different footing.

10,844. And who are assisting in that conference?—The whole of the members of London vestries have been invited to attend, but there was not a very large attendance. I was at the first conference, and we had an amendment moved from Camberwell which was defeated by one vote. I think nine voted one way and eleven the other; there were not many present.

10,845. It can scarcely be said to represent all the vestries, though all are invited to attend?—No, that is so, of course. But an equal municipal rate I am afraid would be rather difficult to administer, because vestries have different ideas as to spending; I mean there would be no incentive to be economical by anybody if it all came from a common purse; everybody would go for as much as they could.

10,846. (*Mr. Smith.*) But there might be two rates, one for central purposes and the other for local purposes?—Certainly.

10,847. The central being general all over London?—Yes, a contribution really from a central fund towards meeting certain rates might meet the case.

10,848. (*Chairman.*) That is the theory now, it may be that the funds are not properly distributed between central and local; that is the theory of present payment, is it not, that a certain part is central, and a certain part is local?—Yes.

10,849. (*Mr. Smith.*) Just one moment, Mr. Tagg, with regard to these Acts, the Petroleum Act, and the Highways, and Locomotives, and Slaughter Houses, and Cowsheds, and Infant Life Protection, and so on; are you aware of what happens outside in other urban sanitary authorities with regard to those Acts?—No, I am not. I understood that they were carried out by such authorities.

10,850. They are, and it seems to me that the gist of your evidence is that you want the powers of the vestry assimilated to those of urban sanitary authorities outside?—That is so, sir, with the exception of main drainage, and water, and lighting and tramways.

10,851. But you know probably the history, the reason why these Acts when passed in London were made exceptional. You know they were afterwards put upon the central body in London because Parliament did not know otherwise quite where to rest them?—That is so, because there were so many small bodies; I mean there were 40 small bodies, 39 really, vestries and district boards.

10,852. There can be no doubt, I think, that if there had been strong urban sanitary districts, district councils, in London, those are things which might very well have been administered in local areas?—That is my opinion, because the inspectors are practically covering the same ground day by day.

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10,853. You do not object to the county council, or the future municipality if it be so, making byelaws to be carried out locally?—No, I rather approve of that; they do that under the Public Health Act of 1891.

10,854. (*Lord Farrer.*) So as to keep the practice uniform through London?—Yes, I know that is best for builders carrying out works in different parts of London; they know how just to carry it out.

10,855. Leaving out poor law and education, the gist of your feeling in Camberwell is, first, amalgamation between the city and county of London; and, secondly, amalgamation between the vestry of Camberwell and all the other governing bodies in it except those which deal with poor law and education?—Yes.

10,856. (*Chairman.*) Did a difficulty arise between you and the County Council some time ago as to an extension of the tramway?—No, sir.

10,857. That was not in your area?—No. There was a question between the London Tramway Company and the County Council that indirectly affected us, but really we took no part in it.

10,858. You did not petition?—I think we went so far as going before—I think it was yourself, sir, as a deputation at the Commons on the question of a private bill—I remember now, of the London Tramways Company. It was on a restriction the council proposed to put in as to the number of hours men should work. It really indirectly affected us, because those cars would have brought people into Camberwell. They would have come into Camberwell from Westminster Bridge and along the embankment.

10,859. (*Lord Farrer.*) You wanted them to come over Westminster Bridge?—We were indirectly affected.

10,860. (*Chairman.*) The company proposed to make a small link of line, and required the sanction of the County Council. The County Council refused to sanction it unless they adopted a scale of hours over a large system of lines?—Yes, they run through our parish.

10,861. And you petitioned in favour of allowing the tramways to arrange the matter for themselves?—Certainly, of giving it into the hands of the tramways company. I think it was 10 hours a day the Council wanted; I remember that.

10,862. (*Lord Farrer.*) Was that with reference to the tramway over Westminster Bridge, or to some other piece of tramway?—It was at the other end, they were going to take over some tramways belonging to a private company. There is only one point I should like to mention in regard to these local officers. You raised the point, sir, about carrying out these acts; that, I suggested, should be done by local sanitary inspectors. I almost think that sanitary inspectors ought to have some central authority for appointment. At the present moment their appointment is sanctioned by the Local Government Board.

10,863. (*Chairman.*) You think they ought not to be removed without their sanction either?—They have no power as to their removal.

10,864. You think they might?—I think all the officers really ought to be under that, because a man may be in a position affecting a member and may cause him a grievance in carrying out these various acts, and have many difficulties with members, may have several.

10,865. (*Lord Farrer.*) So far as it goes that is rather in favour of inspection by a central authority which would not be so liable to be influenced by local interests?—Yes, it is so inasmuch as they can be covered from the centre. There is an immense amount of correspondence passing through; in my office alone we have over 5,000 letters in a year; on all subjects people write to the vestry. I should like to say, sir, that I attend here with the approval of my vestry. I placed your letter before them at the meeting of last night, and they directed me to attend so that I am really backed by them.

The witness withdrew.

Adjourned till to-morrow at 11 a.m.

TWENTY-THIRD DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 16th March 1894.

PRESENT :

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

Colonel Sir E. Bradford K.C.B., K.C.S.I., &c.
16 Mar. 1894.

Colonel Sir EDWARD BRADFORD, K.C.B., K.C.S.I., &c., Commissioner of the Metropolitan Police, called in and examined.

10,866. (*Chairman.*) You are the Commissioner of the Metropolitan Police?—Yes.

10,867. And, of course, you are aware of the existence of the police within the City?—Yes.

10,868. And of the different code of regulations, the different method of administration of the two bodies?—Yes, to some extent.

10,869. Not perhaps so much acquainted with the police of the City as with your own police?—Not so much as with my own police.

10,870. The Metropolitan Police is the older institution of the two?—Yes.

10,871. By some ten years, or not so much—eight years?—About ten years; the Metropolitan Police was constituted in 1829 under the Act 10 Geo. IV. c. 44., and the City Police in 1839 under the Act 2 & 3 Vict. c. xciv.

10,872. Will you tell us shortly how your police are organised?—In what way would you like it?

10,873. Under whose control is it, and in what way is that control exercised?—The Metropolitan Police is under the control eventually of the Home Secretary.

10,874. Under statute?—Under the Act 10 Geo. IV. c. 44., to which I have referred.

10,875. Who has the appointment of the Chief Commissioner?—He is appointed by Sign Manual on the recommendation of the Secretary of State.

10,876. And the Assistant Commissioners?—They are appointed in the same manner.

10,877. Do they all hold office at pleasure?—Yes.

10,878. That is, of course, the pleasure of Her Ministers?—Yes.

10,879. And you have under you as Chief Commissioner a very large body of men?—Yes.

10,880. Do you make regulations for the government and management of those men?—Yes, subject to the approbation of the Secretary of State.

10,881. They are proposed by you?—They are framed by me.

10,882. And submitted to the Secretary of State and approved?—Yes; though in actual practice only the general orders are specifically approved by the Secretary of State, not the details of administration.

10,883. Day by day work you would do yourself?—Entirely; the suspension or dismissal of men is under my own control, but promotions are submitted for the approval of the Secretary of State.

10,884. And the pensioning of the men?—That is under the control of the Secretary of State.

10,885. Subject to the provisions of the statute which regulates it?—Yes, pensions are now regulated by the Act of 1890.

10,886. That largely affects what was formerly a matter of discretion?—Yes.

10,887. Now it is a statutory duty?—Yes.

10,888. Is this police force increased from time to time?—Yes, with the sanction of the Secretary of State.

10,889. If the necessity arises, the Commissioner recommends and the Secretary of State approves?—The Commissioner recommends and the Secretary of State approves of any augmentation.

10,890. And there is no other control of any kind?—No.

10,891. And the police force so raised and maintained is paid for in what way?—It is paid for partly by a rate that is levied on warrants that are issued by the Commissioner with the approbation of the Secretary of State, and partly by Imperial Contribution, or rather, to be exact, contributions from local funds which has been substituted by statute as an equivalent for what used to be the Imperial Contribution.

10,892. How is it divided? Can you say?—Fourpence halfpenny, I think half and half.

10,893. Exactly half and half?—I think it is exactly half and half.

10,894. Not four-ninths and five-ninths?—That is exactly how it is, the rate is 5*d.* in the £; the Imperial Contribution 4*d.*

10,895. Partly by a rate and partly by Imperial Contribution?—Yes.

10,896-7. And the persons who pay the rate have nothing to say in respect of its amount?—No, nor to the disposal of the money; the amount is limited by statute: it is credited to the police fund, which is managed by the Secretary of State through the Receiver of Metropolitan Police.

10,898. (*Lord Farrer.*) Is not the Receiver under you?—No, not under me.

10,899. Is he not?—He is directly under the Secretary of State, he is not under me, the whole of the financial arrangements of the police are under the direction of the Secretary of State through the Receiver.

10,900. (*Chairman.*) The Secretary of State is the head of the whole; you as the practical worker, and the Receiver as the treasurer, are co-ordinate?—The Commissioner is consulted in financial matters, but the Receiver administers them and he is in no way under the Commissioner.

10,901. You are co-ordinate in some degree?—Yes.

10,902-3. There is an Imperial Contribution also?—Yes?—It is now paid out of the Local Taxation Account.

10,904. It amounts to four-ninths of the whole?—Yes.

10,905. Are you aware how the expenses of the City Police are met?—No, not officially.

10,906. How is the City Police governed?—Under the Local Act 2 & 3 Vict. c. xciv. It was an Act for regulating the police in the City of London, but I really am not very well acquainted with it.

10,907. Are the duties of the two forces nearly alike?—In many respects they are, but their actual duties are not quite the same; the City Police probably have harder work, and much more work in managing traffic, whereas the incidence of some other duties is more severe upon us.

10,908. Are you in fairly frequent communication with the Commissioner of the City Police?—Yes, constant.

10,909. You co-operate together?—Yes, certainly.

10,910. Do you consult together as to what should be done at particular times?—Only on emergency or if there is any special reason; but it is not often necessary.

10,911. When the Lord Mayor's Show comes on?—On the occasion of any public procession or function we give them every assistance we can; and the City authorities have to ask for men on some of those occasions. If there were any change in traffic regulations, we should consult each other before making them.

10,912. (*Lord Farrer.*) Such processions as next Sunday, for instance?—They would not come near the City.

10,913. Do they not go through the City?—No, I should not think through any part of the City except along the Embankment a little way. We send them our notices so that they can make any arrangement.

10,914. (*Chairman.*) Does the City Police ever do any duty outside the City?—Not that I am aware of at all.

10,915. During your experience you have not had them in your area?—No, we constantly have to give them assistance; they have no mounted police, for instance.

10,916. They are not disabled from working in your area?—No, either can work in the jurisdiction of the other.

10,917. Can the Secretary of State require their assistance?—I think not, except with the Lord Mayor's sanction.

10,918. What you understand, is that if the Secretary of State asks the Lord Mayor, the Lord Mayor may or may not afford the assistance?—That is what I gather.

10,919. And so act separately?—Yes.

10,920. They do in fact come to you for assistance?—Yes.

10,921. And you might, if you thought it necessary, withhold that assistance?—Yes, certainly.

10,922. There never has been any friction in your time?—Never.

10,923. Have you any tradition of any friction?—I am not aware that there has ever been any.

10,924. You say that the Metropolitan Police is an Imperial as well as a local force?—I say so because (inter alia) we are called upon to supply men to distant places; they have been sent to Birmingham and to Hull.

10,925. When were they in Birmingham?—In Birmingham in 1882, I think, was it not?

10,926. (*Mr. Smith.*) I was going to ask a question upon that; I did not think they had been in Birmingham so recently?—I took it out of some old records.

10,927. I think I may say certainly not in 1882, because I was there myself then?—It is only a tradition.

10,928. I think I ought perhaps to read you a telegram I got from the chief constable. I read your memorandum with some interest, and I was naturally anxious to ascertain the fact. He says, "As far as "can be ascertained the Metropolitan Police have

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"not performed duty in Birmingham since 1839, "Ex-Superintendent Sheppard, who joined in 1846. "and Deputy Chief Wilcox in 1856, are both very "clear on the point, since the date of their respective "joining." I think perhaps it must have been at an earlier period when there were some riots in Birmingham, but then I must be pardoned for saying the municipality were not then responsible for the control of the police.

10,929. (*Lord Farrer.*) It has not been in your time?—Certainly not. But in Hull we have had men, and in Yorkshire, Notts, and Derbyshire.

10,930. (*Chairman.*) During the dock strike and the coal strike?—Yes.

10,931. But your police were not the only police that were requisitioned on that occasion?—No.

10,932. And that of itself would not give your police properly an Imperial character any more than the other police forces?—But the Commissioner's jurisdiction extends to the Royal Palaces, and a certain number of men are always employed for the protection of Her Majesty. Moreover, the Metropolitan Police Force, as denoted by its name, operates in the Metropolis of the Empire, which comprises the vast Imperial interests of the Court, the Houses of Parliament, Government Offices, Courts of Justice, National Treasures, &c. Besides we have to watch ports at home and abroad.

10,933. (*Lord Farrer.*) At foreign ports?—Yes.

10,934. (*Chairman.*) Do you know when that arose, that service?—They were so employed when I became Commissioner.

10,935. (*Lord Farrer.*) And all the dockyards?—And the dockyards, of course, are all——

10,936. (*Chairman.*) Under any statute?—The dockyard duties are under statute, the 23 & 24 Vict. c. 135.

10,937. But the services at the different ports of the kingdom and abroad are not?—I think not.

10,938. Could a policeman lawfully disobey an order given him in respect of such duty?—I think not; of course they would not. I may add that under the statute the Metropolitan Police have certain powers extending for 15 miles of any dockyard or military station.

10,939. What proportion of your force may be said to be made use of outside the Metropolitan area on an average—I do not mean on special occasions, such as at Hull or the coal strike?—At the dockyards?

10,940. At the dockyards and the ports?—For perfect accuracy I think I should have to get a return. We have got five dockyards. I could tell you exactly what number of men went to Hull or to the other places. It was about 400 at the coal strike.

10,941. That, of course, was lending a particular contingent under particular circumstances, such as the City of Liverpool might have lent some of its force?—Yes.

10,942. Or the county of Shropshire might have lent some of its force?—Yes.

10,943. That might have been done by the County Council of London, if the County Council of London had had a police of its own?—Yes.

10,944. But that is quite different in character from regular allocation of some of your force?—Yes.

10,945. For duties which are not strictly pertaining to London?—Well, of course, we have them at Chatham, Portsmouth, Devonport, Pembroke, Woolwich, and at one time, Aldershot.

10,946. (*Lord Farrer.*) At Windsor?—Yes.

10,947. (*Chairman.*) Are they ranked in a special division of their own, or are they drawn from the ordinary divisions?—Do you mean each dockyard?

10,948. No, the men?—They all belong to the Metropolitan Force exactly the same as those employed in London; they are drawn from the regular force.

10,949. But your Metropolitan Force ordinarily is divided into A B C divisions, and so on?—Oh, yes, they are, each a separate division.

10,950. These correspond with different areas, do they not?—Yes.

10,951. Now, do those men who are employed at the dockyards and Windsor and the ports, do they belong to any special division A, B, C, or some division of their own?—We have what we call a Central Division, and for duties at the Royal Palaces, ports, and detached powder magazines, men are sent from that Division or from the A Division, but the dockyards have each a separate division.

10,952. A letter of their own or a mark of their own?—Yes.

10,953. Then with the exception of a few from Division A, all these who are employed outside the London area belong to a separate division?—That is not quite the case either. At the powder magazines, men have hitherto been sent from various divisions, but a change is now being made transferring them all to the Central Division.

10,954. But you are making an alteration?—To bring them all under one superintendent.

10,955. To bring them all under a separate division?—Yes, under the Central Division.

10,956. If that were carried out in its entirety—that scheme—then what may be called your Imperial as distinguished from your local functions would be discharged by an Imperial body, or at all events by a separate body?—Not separate, because they would all be promoted and moved from one division to another, all the divisions are interchangeable in that way; we transfer men from one division to another constantly.

10,957. And do constables who are sent to Plymouth get withdrawn from Plymouth often?—Yes.

10,958. In the regular course of promotion?—Yes, as a rule, but in course of ordinary necessities that may arise men are transferred.

10,959. Have you any rule?—As to transferring them?

10,960. Any rule against any constable remaining in any particular position beyond a certain length of time?—No, but transfers are frequently being made. For instance, if a man marries into a family, the members of which are employed in the dockyard, he would be at once transferred.

10,961. (*Lord Farrer.*) For personal reasons?—For personal reasons and for punishment, too.

10,962. (*Chairman.*) You desire to prevent policemen getting rooted in particular districts?—Yes, we do.

10,963. And on that ground you transfer them?—Yes.

10,964. There is, of course, a very great difference in the extent of the country under your jurisdiction and that under the City Police?—Yes, very great.

10,965. Under the City they have got 650 acres and you have got more than as many square miles?—Yes.

10,966. You do not know, I suppose, the circumstances under which your area was originally delimited?—No, I do not.

10,967. The external part of it is pure country in many cases?—Yes, many parts.

10,968. Have you ever thought of the convenience or inconvenience of drawing in the external frontier, bringing it more back to the thickly populated parts? No, I have never thought of it; we find it such a very great convenience having a large area.

10,969. Still, it is rather arbitrary, the external line?—It is, yes. I have always been told that the drainage to some extent determined that.

10,970. The physical conformation?—I believe so.

10,971. (*Lord Farrer.*) Determined the police, but did not determine the body which was to construct the drains?—Yes.

10,972. (*Chairman.*) Do you think considerations of the control of the police, the maintenance of peace and order, require, roughly speaking, keeping the same frontier as now as in the future?—I think it is very desirable that it should be retained; whether or not small changes in the area might be made without

disadvantage I would not say, but I think it is an advantage to have the present area maintained.

10,973. You do not feel yourself that there is any inconvenience in its running into the country?—No, it is an advantage.

10,974. (*Lord Farrer.*) Do they work well with the neighbouring county police?—Yes, very well, very well indeed; we never have any friction, but of course the systems are somewhat different; in my opinion everything works very smoothly, and this is the experience, I believe, of the different chief constables of adjoining counties.

10,975 (*Chairman.*) Have you perambulated the whole area?—Yes, I have constantly.

10,976. You are aware that in some counties of England—Suffolk, and Sussex, and Lincoln—there are two or three county councils; the county has been divided under the Local Government Act?—Yes.

10,977. We have had a suggestion made to us in respect of Essex, as to considerations of a local character, which would make it extremely convenient if that portion of Essex which is next to the County of London, on the north-east of London, and which is under your jurisdiction, were made a separate county for administrative purposes, making two counties in Essex. The character of that area is very different from the other part of Essex, and it would be convenient to have two county councils, and in connection with that it was suggested that there might be in the county so constituted—suburban Essex—a police under the control of the County Council so constituted. Would the withdrawal of that part of Essex from your jurisdiction and putting it under the authority of a new County Council, with a police of its own, lead to any considerable difficulties?—I should not like really to offer an opinion quite off-hand; I do not exactly know up to what point that would come. What you are asking is whether the taking that piece of it——

10,978. Yes, from your control would very much affect the value and organisation of your police?—If that piece was alone taken I cannot say that it would do any great harm, but if all the other outlying portions similarly situated were taken, I think it certainly would.

10,979. If Middlesex in the same way were taken away?—I cannot offer any reason why a particular piece should be taken and another portion left.

10,980. You cannot think of one being taken and the other left?—No.

10,981. And it would be inconvenient to have your police area drawn so as to be coterminous with the county council area?—Very.

10,982. Under any circumstances you think it desirable that your police area should run much outside the area of the London County Council?—Yes, very.

10,983. (*Lord Farrer.*) Do you include in your police area several new boroughs?—Yes, three, West Ham, Croydon, and Richmond.

10,984. Has there been any question of their having their own police?—I have never heard of any.

10,985. (*Chairman.*) You cannot say any part might not be taken without inconvenience?—No.

10,986. It leads up to the consideration of taking away not only suburban Essex but suburban Middlesex?—Yes.

10,987. (*Lord Farrer.*) It so happens that we have had suggestions before us with regard to that particular portion, but not with regard to the others?—Yes.

10,988. (*Chairman.*) You think it is necessary that the Metroplitan Police should run into those counties?—I think it is very important.

10,989. The police in respect of its area in the City of London is, of course, much more numerous than your police?—It is.

10,990. But your police is necessarily arranged in respect of population?—To a large extent of course.

10,991. And those parts of your area which are closest to the City of London run up to something more nearly equal?—Well, they do run up to something more nearly equal.

10,992. Can you give us the figures?—I picked out the different divisions, and I thought the Holborn Division and the St. James' (Vine Street, and that part); more nearly resemble the City, and their proportion is 687 and 683, whereas the City were 913.

10,993. That is to the square mile?—Yes.

10,994. (*Lord Farrer.*) And you have some others you have got out?—Yes. Then I took some of the smaller ones, the G Division, which is Finsbury, 339 to the square mile, and in Whitechapel only 275, in Lambeth across the water 193, and at Southwark 123.

10,995. You offer no opinion as to the necessity of so large a number of policemen to the square mile?—No. I think it is impossible almost.

10,996. Perhaps you can go this length, that if there was one police force readily interchangeable, you need not have permanently so many allotted to the City?—I think not, I think that is clear. You see, the population of the City varies so enormously, the night population being so very small.

10,997. It has been represented to us that the amount of property to be watched during the night is so considerable that although the persons are few there is the same necessity for the maintenance of a large police during the night and during the day?—I think it is rather easier to watch deserted streets than to watch streets that are crowded with people.

10,998. There is less of what we may call minor crime in the City, of course, a great deal?—Oh, yes, of course, very much less crime, there is no poor quarter in the City jurisdiction at all scarcely.

10,999. Is there not a poor quarter on the north-east side?—That comes into us at Shoreditch and Whitechapel.

11,000. (*Chairman.*) Houndsditch and Whitechapel?—Yes, Houndsditch is in the City.

11,001. You give us some comparative figures as to the pay of the City Police and the Metropolitan Police; it appears to be occasionally higher in the City?—Especially for the constables in the early service.

11,002. (*Lord Farrer.*) In the lower ranks?—Yes.

11,003. (*Chairman.*) The lowest pay in the City is 25*s.* 7*d.*, is that so?—Yes.

11,004. The lowest in your pay is 24*s.*?—Yes, they go up, you see, very much quicker; they reach 37*s.* in six years. In ours, the highest constable only gets 32*s.*, which he reaches in eight years.

11,005. Those are yearly increments in both cases, as shown in this?—Yes, our men on joining get 24*s.* and do not move for a year, but the second year get 25*s.*, and so on.

11,006. (*Lord Farrer.*) How do you compare with them for the number of officers and men in the superior ranks?—I do not know that I can state that exactly.

11,007. But you give us a comparison?—I have given the total numbers.

11,008. Of superintendents and inspectors?—I have given the total number; I do not know how that compares in particular places, though.

11,009. They have more superintendents in proportion to the whole number than you have?—Yes.

11,010. For instance, they have one sergeant to 21 sergeants of yours, but they have one superintendent to nine superintendents of yours, as far as I can see?—Yes, I believe that is so.

11,011. (*Chairman.*) It is rather difficult when you are dealing with small numbers, you cannot have 2½ superintendents?—No.

11,012. You must have two or three?—Yes.

11,013. (*Lord Farrer.*) What I rather wanted to get at was whether there are more superior places in proportion to the whole force to which the men can rise in the City Police?—I think there must be in proportion to their numbers. You see, they have got three superintendents. That is, I think, a larger proportion than ours.

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11,014. I think it is about one to 13; the sergeants are one to 21?—Yes, that is not so many sergeants as ours.

11,015. (*Chairman.*) You have more sergeants in proportion to your constables than they have?—Yes.

11,016. They have more superintendents?—They have more superintendents and more inspectors.

11,017. Their pensions—are those in any way different from yours?—Yes, I think at the present minute there is a Pension Bill under consideration; the City did not come under the 1890 Act at all, and I think their pensions have not been actually settled yet; but they do receive pensions, and I believe higher pensions than our men.

11,018. And with the same or fewer years' service?—I think so, but am not sure.

11,019-20. The existence of these discrepancies of pay and pension would make a little difficulty at first, if the two forces were run together?—Yes, it might.

11,021. Would there be any other practical difficulty that you can recognise?—No, I do not know of any practical difficulty.

11,022. And you have intimated that if the two forces were interchangeable, those permanently allocated to the City area might be diminished in number?—I think that is probable.

11,023. (*Lord Farrer.*) At any rate they would be available for service elsewhere?—Yes.

11,024. (*Chairman.*) It requires some little management to respect and preserve the rights of the individual members of the force, but that would, of course, pass away in time?—Yes, of course that is only temporary.

11,025. I see you allude to the fact that the City standard of height is higher than your own?—Yes, they are a small body, and their pay is better, they therefore get the first selection.

11,026. (*Lord Farrer.*) Is it considered a more agreeable service?—I do not know that it is; there are a great many men, I daresay, who would prefer ours.

11,027. (*Chairman.*) Do any men ever pass from yours to theirs?—I have never heard of any. Perhaps one in several years, wishing to serve near a brother or relative.

11,028. There is no regular stream?—No.

11,029. (*Lord Farrer.*) They are never promoted from one to the other?—No, I think it is quite possible that men may come into the Metropolitan Police to go into country areas.

11,030. (*Chairman.*) Do men go from your police into country police service?—No, I think not; I mean into the country areas that are under us.

11,031. The more rural areas?—Yes.

11,032. Do you draw from county police forces at all?—Not much, chief constables do not like their men leaving for that purpose, and we therefore discourage men coming.

11,033. Would you always know?—Yes.

11,034. You get the past history of every recruit sufficiently?—We take a good many in the course of a year that are recommended by a chief constable himself, but we never take a man without.

11,035. You think it would be impossible to keep up the City's standard of height in your recruits, to bring it up?—I would not say it would be impossible, because I daresay the A Division of the Metropolitan Police is quite as large a body of men, and it would be possible, of course, to select men for any particular place. But I have no doubt, if they were all put under one authority, that the citizens would notice that they had not quite the same standard of height.

11,036. Is there any interchange of knowledge between the members of the two forces with respect to the criminal classes?—Yes.

11,037. Communications are continually made?—Yes, communications are continually made.

11,038. And a criminal is not able to pass from one area into the other with any advantage to himself?—Not really; it is just possible that a man may hide himself by changing his jurisdiction, and the City is not quite the same as a division.

11,039. There was a Bill brought in a good many years ago for the amalgamation of the two forces?—Yes.

11,040. When Sir George Grey was at the Home Office?—Yes.

11,041. Thirty years back?—Yes.

11,042. (*Lord Farrer.*) At the time of the marriage of the Prince and Princess, I think—after that?—Yes.

11,043. I think that was the occasion of it?—I do not know the Bill myself.

11,044. (*Chairman.*) Are you aware it was not a complicated Bill?—I believe not.

11,045. There has been no greater difficulty since 1863 than there was at that time, I suppose?—No.

11,046. In the problem of amalgamation?—No.

11,047. Of course, if the control of the City Police passed from the City authorities, the present Lord Mayor and Aldermen, to any other authority, which had not control of the Metropolitan Police, there would be just the same difference of organisation as at present?—Yes, I suppose so.

11,048. It would be a change as far as organisation goes, leaving things much as they are?—Yes, it would make no change, except as to the police authority.

11,049. It might introduce a governing body which would be to some extent connected with an area outside that served by the body governed?—Yes, I think that might lead to friction, because if men (as the City policemen are at present) were employed in the area in which the Metropolitan Police were ordinarily employed, I think it would lead to friction.

11,050. It would depend very largely upon how far the nominal governing body was a real governing body?—Yes.

11,051. If the real governing body in the City is the City Commissioner, he might remain under the County Council of Caithness without any disadvantage?—Yes, he might. It would depend upon how far they were confined to their own areas. I think you mean that if the City Commissioner could decline to employ his men out of his own area.

11,052. Yes?—That would leave it exactly as we are now.

11,053. (*Lord Farrer.*) There is nothing at present in the City in the nature of such a watch committee as there is in many of the municipal boroughs?—I believe not.

11,054. So that the Commissioner of Police in the City is practically a good deal more independent of the local body than the chief constable in municipal boroughs?—Yes, very much.

11,055. Very much more?—Very much.

11,056. So that if the transfer was to take place and there was to be anything in the nature of a watch committee in the new body, that would alter the relations?—Yes, that would make a considerable change.

11,057. (*Chairman.*) Do you think it would be convenient to have a watch committee emanating from a body which represented the whole of the county of London to control the police within a small area of London?—I think certainly not.

11,058. You have served under different Home Secretaries?—I have.

11,059. So far as the administration of the police is concerned, would you feel at liberty to make any observation as to the convenience or inconvenience of its passing from a member of one political part to another?—I have never found that there was any difference.

11,060. The administration of the Metropolitan Police, though under the control of an Imperial officer, is not in the least affected by Imperial politics?—No, not the least.

11,061. (*Lord Farrer.*) Were you Chief Commissioner before the new London County Council was created?—No, I was not.

11,062. So you have only had experience during the existence of the present London County Council?—Yes.

11,063. But the relations of your force to the London County Council and to their employees has been perfectly satisfactory?—Yes.

11,064. (*Mr. Holt.*) I should like to know whether the Commissioner attaches importance to the policing of the Government dockyards and other Government workplaces outside the Metropolitan district?—I see how important it is in the way of safeguarding them. Originally this duty used to be performed by a separate body altogether, and it was placed under the Metropolitan Police, as the system was not found to work satisfactorily, and from what I have seen since I have been in the Metropolitan Police I recognise that constant vigilance is required.

11,065. You do not think arrangements might be made with the local police of the district to do it?—I do not like to appear to condemn local police, but I do not think such an arrangement would be found as satisfactory as that which now exists.

11,066. It seems to me looking to this, for the Metropolitan Police Commissioner in London, to send police to Pembroke seems to me rather an excess?—Being able to move and change the men, as we do constantly, must give a certain amount of security.

11,067. (*Chairman.*) If Pembroke Dockyard were under the Pembroke Police, you would get a small number of persons permanently there?—Yes.

11,068. Affected with the local feeling?—Yes.

11,069. With local connexions?—Yes.

11,070. It is rather desirable, in your opinion, that that should be avoided?—I think so.

11,071. (*Lord Farrer.*) I suppose if we want to ask any questions about the finance of the Metropolitan Police, we had better go to the Receiver?—Yes, I think that might be best, because he knows the whole details.

11,072. One question on a different subject. Where there is any fear or danger of conspiracy, such as society has been alarmed at recently, and its having its root in different places, there is an understanding and correspondence between your force and the local force?—Yes.

11,073. And that correspondence or communication goes on constantly?—Constantly.

11,074. And without any difficulty?—Yes.

11,075. And without any difficulty arising from the fact that the local police are under municipal authorities?—There is no difficulty about it.

11,076. No difficulty about it?—Not at all.

11,077. (*Chairman.*) Do communications pass between you and the Chief Constable?—Yes.

The witness withdrew.

(The room was cleared and the Commissioners deliberated.)

(On Resuming.)

Mr. William Weaver, Surveyor to the Vestry of Kensington, called in and examined.

11,179. (*Chairman.*) Mr. Weaver, what is your position?—Chief Surveyor to the Vestry of Kensington, sir. I have been 34 years in the Surveyor's Department of the parish of Kensington.

11,180. And you are a member of the Incorporated Institution of Municipal and County Engineers?—Yes.

11,181. What is your association?—It is an association formed of the various county and borough engineers throughout the country and the parochial surveyors throughout London. The Secretary to the Institution, I believe, is going to give evidence; he can give the numbers of the member of the association and so on.

11,182. Could you tell us how long it has been incorporated?—I would rather that question be put to the Secretary.

11,183. Do you appear as one of the representatives of the society?—As one of the representatives.

11,184. Has the society considered the questions you are about to give evidence upon?—Yes, sir.

11,185. And you express, as far as you can, the opinion of the body?—Yes.

11,186. Now you approach the question of the London county as being controlled by a central body with local bodies taking charge of certain local affairs?—Yes. I am of opinion that the government of London should be vested in one central authority, with certain delegated powers to district councils.

11,187. When you say "delegated," you do not mean to say that they should be given by the central body to the district councils, but that there should be in the district councils some powers separate from those exercised by the central body?—Yes, distinct, without control.

11,188. You do not mean that they should be in the central body first, and then given by them to the local body?—No, some of the powers would be delegated from the central authority and others would be acted upon distinctly and separately by the district councils.

11,189. Now, what is the first point which you wish to give evidence upon?—Well, in a revised scheme for the government of London, I think some of the points which should be considered would be as follows: I think that the cost of repairing, cleansing, and watering of all main thoroughfares throughout the county should be contributed to by the central authority, but the executive maintenance of those roads should be left in the hands of the local authority.

11,190. Now, how does that differ from the present arrangement?—At the present time all the roads are maintained by and at the expense of the local authority, with the exception of a few instances of main roads, towards the maintenance of which the County Council contribute.

11,191. A very small length of mileage that, is it not?—Speaking for my own district, to which I must confine my answer, that is a very small matter, somewhere about—I think it is a little over,—500 yards lineal of road only in my district to which the central authority have agreed to contribute the sum of 110*l.* per annum.

11,192. (*Lord Farrer.*) Under which Act?—Well, it is under a special Act, my Lord, under a special Act under which certain funds have been allocated in the past towards the maintenance of a certain road between two points.

11,193. What is that 500 yards?—It is a portion of the Harrow Road, Kensal Green.

11,194. Do you think that the amount of the main thoroughfare to which the central authority should contribute should be increased?—I think for all the main arteries throughout the county the cost of maintenance should be contributed to by the central authority, because the wear upon those arteries of traffic is brought about by the traffic coming from a proportion representing the outlying districts all converging to the centre, and the excess over the cost of maintaining the road for the local traffic caused by the main through traffic, should be borne by the central authority.

11,195. Well, now, how are these main arteries to be indicated; what authority should point them out?—I think that ought to be a matter of arrangement between the local authority and the central authority, with an appeal in case of divergence of opinion to the Local Government Board.

11,196. In fact, the Local Government Board should determine as between the County Council and

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the vestry of Kensington what road in Kensington was a main artery?—I think there ought to be some Government department which should have the supreme voice in the matter.

11,197. You think that would be satisfactory to both?—I think it would.

11,198. (*Lord Farrer.*) Have you any principle on which you could distinguish main roads from other thoroughfares in London?—Well, in certain instances there would be no difficulty whatever, as in the case, we will say, of Oxford Street and Uxbridge Road leading direct from Oxford to London, but there might be, as it were, intermediate thoroughfares where there might be divergence of opinion on the subject.

11,199. South Molton Street, for instance? — Oh, yes, of course, I should not take that for a main road.

11,200. Yet every cabman goes down South Molton Street?—Yes, but he is not driving from Oxford to London; it is local traffic.

11,201. (*Chairman.*) How much of the traffic that goes along Oxford Street comes from Oxford to London?—Very little of it starting from Oxford, but there must be a lot of it picked up in the way, swelling the sum total of the traffic going. You have only got to look on the map of London, when without doubt anyone acquainted with London could at once point out certain roads about which there could be no doubt are main arteries to the centre of London.

11,202. You cannot lay down the characteristics of these roads?—No, it would be very hard indeed to do so.

11,203. Would Chancery Lane be one of them?—I should say not; I should say the Strand would.

11,204. (*Lord Farrer.*) Bond Street?— No, my Lord; Piccadilly, I should say, Kensington Road.

11,205. (*Chairman.*) Is not the line from Islington to Westminster a considerable through line?—Islington to Westminster?

11,206. Is Gray's Inn Road a main road?—No, if it were left to me, sir, I should only make a very broad principle of the converging main thoroughfares that all centralise themselves in the heart of London, that you see constant streams of traffic all converging to that point, I should say put down as the main arteries.

11,207. You do not mean to say, though most run east and west, that none run north and south?—No, but the principal of them, looking on the map, you will find run from east to west and west to east, converging towards the centre.

11,208. Tottenham Court Road is not one of them?—Well, that is a feeder of the main thoroughfare of Oxford Street, leading to that, and taking all the north of London.

11,209. There is more of England north of London than there is west of London?—Yes.

11,210. Well, you lay down the principle, at all events, that there are main thoroughfares, and in case of any dispute they are to be defined by the Local Government Board?—Yes.

11,211. And the central authority is to pay a certan contribution towards their maintenance?—Yes.

11,212. Upon what principle would the proportion of the contributions be regulated?—Well, that is a detail upon which I should not like to express a decided opinion, but I think it ought to be founded upon some such calculation as the difference of cost between a neighbouring road which is not a main feeder, and the particular road which is a main feeder: that is to say, we will take Oxford Street and assume that that costs 2*s.* per square yard per annum to maintain as a road, and that we have a road running somewhat parallel with it.

11,213. Wigmore Street?—Wigmore Street; we will say that it is costing 1*s.* per square yard to maintain, the difference of cost between the 1*s.* and the 2*s.* I should say ought to be contributed by the central authority, that is to say, the difference of cost of maintenance between a local road and a main road—that difference ought to be disbursed by the central authority.

11,214. Practically those two roads are both main roads; one is a main road for omnibuses, and the other is a main road for cabs?—Yes, but they have distinctive characteristics; there is a great deal of difference in the traffic between the two streets. Taking my own district, with which I am more intimately acquainted, we have Kensington Road running right away from Richmond, through Hammersmith, to the City. Well, the traffic in that road is very considerable, but we have a parallel road running through Kensington, viz, the Cromwell Road, running past the Natural History Museum, and then joining into the Brompton Road, but the traffic on the Cromwell Road is very different to the traffic on the Kensington Road; I should not call the Cromwell Road a main road.

11,215. Would you take the old Brompton Road; what do you say to that?—I should say that is a main road, leading direct from Putney.

11,216. And the Fulham Road is another main road?—That is a main road, yes.

11,217. Now, having saddled the county authority with that proportion of this cost in the case of these roads, why should the maintenance be left to the local authority?—Because they would do it cheaper.

11,218. You would have several local authorities in the case of Oxford Street?—Yes.

11,219. They would manage it cheaper than one authority over the whole?— Cheaper and better, yes.

11,220. On what ground do you found that opinion?—On the ground that it is always more economical to execute works from a close centre than from a distance. If you have a centre, we will say, in Spring Gardens or thereabouts, and you have to maintain from that centre a lot of diverging roads extending over a long distance without intervening work, it becomes more expensive to do that work from a centre than concentrated in a compact area. For instance, I could send out materials and horses from a local yard to deal with all the main roads in my district; I should do that much more cheaply than starting all those carts, horses, and men from a distant central yard.

11,221. Is it necessary to have a distant yard? Now, let me take an illustration derived from what you have been saying. Apparently Piccadilly with the Kensington Road and Old Brompton Road, and the Fulham Road would all be main roads that would be touched by St. George's, Hanover Square, by Kensington, by Chelsea, by Fulham, perhaps by other areas; would it be more economical to have the separate portions dealt with by the separate authorities or by the central authority, which might locate its apparatus in a convenient spot to deal with the whole?—Unless that convenient spot were invested with uncontrolled power, it would become much dearer if they had all to work to a centre for instructions. For instance, in the matter of prompt repairs of a roadway; it is no unusual thing at my depôts for the different district foremen under my direction to be rung up on an average three times a week for holes in roads which have suddenly given way. Men have to be sent out in the night time to guard and watch these roads to prevent accidents and so on. I am occasionally rung up myself early in the morning or late at night and have to give directions upon these points. Well, if a man had to go to some distant work to get material—barricades—the public would suffer in the matter of safety, and the public purse would also suffer in the matter of economy.

11,222. You have this strong position, you want to keep the maintenance where it is now?—I think it could be done better and more cheaply.

11,223. And all the change you desire is to get a larger contribution towards the cost?—That there should be a contribution from the general purse towards the cost of the general traffic.

11,224. A greater number of roads and a larger share. Well, then, what is your next proposition?—I think, sir, that the cost of all improvements upon such main roads should be defrayed by the central authority, and the central authority, I think, should

also contribute towards the cost of improvements outside the main roads where the improvement may be considered beneficial to the metropolis generally.

11,225. (*Lord Farrer.*) What do you mean by improvements on the main roads?—In widening them to meet the demands of increased traffic, my Lord.

11,226. Pulling down houses and so on?—Yes.

11,227. (*Mr. Smith.*) Who is to determine whether that widening is necessary or not, the Central or the Local Authority?—I take it that would be determined in the same way as it is now, by a Bill deposited in Parliament and fully discussed by a Committee of the House.

11,228. (*Chairman.*) But who is to promote it?—The central authority, sir.

11,229. Then a locality would have to wait for the central authority to take up any improvement on a main road running through it?—Well, I take it, under the present constitution of the central authority they do have to wait for such time to arrive.

11,230. (*Mr. Smith.*) But you are sometimes enabled to make an improvement without going to Parliament, are you not? If a very desirable opportunity occurs of purchasing a piece of land which abuts into the street you sometimes effect that without an Act of Parliament, do you not?—Oh yes, we have a general power under the Act of Parliament at present to make these.

11,231. (*Lord Farrer.*) Under Michael Angelo Taylor's Act?—Under the Metropolis Management Act of 1855 and 57 Geo. III. c. 29.; they are the two Acts which regulate these things.

11,232. (*Mr. Smith.*) You would propose for small improvements that the local authority should still pay?—When it is only of a local character, in side streets.

11,233. (*Chairman.*) Then you discriminate in improvements upon main roads between some which should be defrayed by the locality and some which should be defrayed by the central authority?—Not in the main roads; as I say, that ought to be defrayed by the central authority.

11,234. All of those?—Yes, sir.

11,235. Big or small?—Yes.

11,236. And therefore you must wait upon the central authority for them to be made?—Yes.

11,237. And then improvements which are ancillary to them, what do you exactly mean by that?—When they are improvements of what may be termed a half-and-half character, not entirely for the public generally, but for the public partially and for the immediate locality partially.

11,238. (*Lord Farrer.*) Could you illustrate that?—Yes, my Lord. I take it, for instance, to repeat the street given by the Chairman—Wigmore Street—that the cost of any improvement there ought to be borne between the central authority and the local authority, but if you wish to widen a portion of Oxford Street to meet the demands of the large traffic, I should say that ought to be borne by the central authority.

11,239. (*Chairman.*) If you wanted to widen Knightsbridge at Albert Gate?—I should say that ought to be borne by the central authority.

11,240. (*Lord Farrer.*) Is not something of the same kind done now; is there not constant discussion between the local authority and the London County Council as to the proportion in which the expense of various improvements should be borne? That sort of question is perpetually arising, is it not?—Yes.

11,241. (*Chairman.*) The change that you wish to effect is to have it made more systematic, is it not?—A general principle laid down, so that a system may be worked upon. At the present time directly an improvement is mooted in any particular thoroughfare it generally emanates from a local authority, who memorialise or communicate with the central authority, and send in a plan and say, "We are of opinion that "such-and-such a street requires to be widened," and then there begins at once a battle between the central authority and the local authority as to how much the local authority ought to contribute, and how much the central authority are prepared to contribute, to that, and many improvements are waiting at the present time, and so have been dropped because it is impossible for the local authority and the central authority to come to an agreement as to what proportion should be borne by the two.

11,242. Do you suggest that the improvements would be hastened if it were decided that the cost must all be borne by the central authority?—I think if the Legislature were to lay down that certain roads are main roads, that all improvements in those roads required for the general public, or required at all, should be borne by the central authority, then the central authority, in response to public opinion, would be called upon to make these improvements and pay the cost of them.

11,243. That is, public opinion tries to operate upon them now with the circumstance that the locality may contribute something, and still it is not done. You think if the locality pressed the central authority without the possibility of a contribution it would be done more speedily?—With that element of discord eliminated from the correspondence I think there would be a greater likelihood, sir, of the work being done.

11,244. Now will you go to your next proposition?—With regard to the government of London, I think that the administration of the various matters within the area should be assimilated, that the various local authorities should all work upon some general plan, that there should be general byelaws regulating house drainage, sewer construction, and sewer ventilation

11,245. And who is to lay down these bye-laws?—I should say they would be framed by the central authority in consultation with the local authority, that is the way they are generally brought into shape.

11,246. That the County Council should frame bye-laws, calling into consultation with them representatives of the local authorities?—That is it, sir. At the present time, take the first matter mentioned, house drainage, there are the most divergent views with regard to it. The London County Council have framed certain bye-laws dealing with soil pipes, water-closets, privies and cesspools, but with regard to underground drains, and a variety of features appertaining thereto, they are left quite undecided. In one parish, a builder finds he is allowed to do pretty well what he likes, he can put down a four inch drain; he goes into another parish and he finds it is totally different, he has to put down a six inch. There is no general principle adopted, a man has to find out in what district he is working before he knows what he has got to do.

11,247. (*Mr. Smith.*) But that would mean, would it not, giving fresh powers to the County Council, because they are not a sanitary authority and therefore would have no control over these others?—They would not have control of the work, because that would be supervised by the local authority.

11,248. (*Chairman.*) Or the power to make bye-laws?—But there ought to be some general principle adopted for the whole of the work of London, that it ought not to be that if you go into district A you have got to do one thing, and if you go into the adjoining district B you have to do a different thing altogether

11,249. Then you would increase the power and the authority of the County Council in respect of these matters?—No.

11,250. How do you get uniformity without getting one body to do it?—They would not do it.

11,251. I do not mean to execute, but to make the byelaws?—Well, I think the central authority for London would be the proper body to frame the bye-laws for the guidance of the district councils to work by.

11,252. Is not that what I said, that you would give to the central authority—the County Council—power which it has not at present to make byelaws—a larger power?—They have power already to do that, sir.

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11,253. With all these subjects?—Yes, with all of them.

11,254. (*Lord Farrer.*) And they are making byelaws, are they not?—Partially, only, to deal with part of them.

11,255. But by degrees they are making more and more byelaws under the powers recently given them by Parliament; I mean they are going in the direction in which you wish them to go?—They have made some, but how much farther they are going in what they are doing now, I cannot say.

11,256. (*Mr. Smith.*) Apart from your local legislation, which I do not profess to grapple with, as a rule the power that you are now seeking would be power belonging to a sanitary authority; the County Council is not a sanitary authority: the sanitary authorities in the metropolis are the local governing bodies, the vestries and district boards; therefore if you are to give the central authority power to make the byelaws, you must give them fresh powers, and powers that appertain in some respects to a sanitary authority; their power to make byelaws at present in regard to buildings, &c., is a different matter?—They have power to make byelaws with regard to drain construction and sewer construction.

11,257. They have got that by a local Act?—It is a power which was transferred to them from the Metropolitan Board of Works.

11,258. It is a contradiction to us in the country, the sanitary authority not having power to deal with these matters?—The point which I wish to press upon the Commission is, I think there ought to be a uniformity of work throughout the metropolis; there ought not to be all this divergence. With regard to the next item, sewer construction, for instance, you will go into one district and it is all pipe sewers, in one district board they are of opinion that pipe sewers are the best, and they lay down pipe sewers by the mile; you come to another district, like my own, and we do not lay a pipe sewer in a year; we believe that brick sewers are the best, so that even in the matter of the construction of sewers there is a difference of opinion, but there ought to be general lines to work upon.

11,259. (*Chairman.*) Is it not true that you want that to be regulated by the County Council instead of by the several district authorities?—What I wish to do is that the central authority should frame byelaws under the powers which they already have; they have powers under the existing law.

11,260. You have a further suggestion as to pensions apparently?—Yes, a matter affecting the officers personally, sir. I think the officers, more especially surveyors, and perhaps the sanitary inspectors under the various local bodies, ought not to be left in their present position. At the present time, especially with the advance of what I may term the democratic wave to the local assemblies, the officers of the various district boards view with considerable apprehension their future fate. Taking myself as a type, I have given 34 years of my life since I was 16 years of age to the service of Kensington. I find that under the new law coming in the vestry is likely considerably to change,—under the Parish Councils Bill; for instance, where almost anyone can become a vestryman and anyone can elect a vestryman; and there are already in certain parts of my district caucuses being formed to return all the unemployed representatives, several men that I have had occasion to discharge for several years past for misconduct, and they are all coming on to try and form a little party for their own interests and for the annihilation of the officers. Well, looking at the Superannuation Act as it at present stands, that the vestry may, if they think fit, accord pensions to their officers, I do not see, if these people get a majority on my Board, that I shall have much chance of getting a pension; so at the end of 40 years' service to my Board—and, in the course of my professional connexion with Kensington, I have had many opportunities of bettering my condition, but, considering while I was there I was, as it were, storing up savings for the afterpart of my life, I did not embrace the opportunities that had offered themselves. I think it will be hard lines if, when I get to 60 years of age I am turned adrift after giving the whole of my life to Kensington without having the advantages which I looked forward to under the Superannuation Act.

11,261. (*Lord Farrer.*) Has your vestry a scheme of pensions at present?—No.

11,262. Or do they just grant a pension in each separate case as they please?—Every vestry can only act, my Lord, under the Superannuation Act, which says that the vestry may at the termination of 40 years service, and upon an officer becoming incapacitated or reaching the age of 60 years, grant him forty-sixtieths of his salary, that is to say, one-sixtieth for each year up to 40 years' service.

11,263. They may, but they are not bound?—They may, although the Act was meant to read "shall." It meant the officer should have a pension unless by some reprehensible conduct he had forfeited his claim to it. Still the vestries exercise the discretion. I have known several instances lately where men having served their entire lives in a parish, the Radical element has become predominant on the local board, and that man has been cast adrift at 65 or 70 years of age with hardly anything to fall back upon.

11,264. There have been cases of that kind, have there?—Yes.

11,265. (*Mr. Smith.*) Under the present system?—Under the present system, yes.

11,266. (*Chairman.*) You wish to make an end of that?—I think there should be an appeal to some body or person not swayed by popular agitation where justice would be done to the individual.

11,267. (*Mr. Smith.*) Would you apply that principle to all the municipalities in the country; you do not seem in a worse position than the officers of a municipality?—I do not know how they act in the country.

11,268. It is a very important question when you put forward a proposition of this kind to consider it all round?—I am putting it forward for London.

11,269. But is there any reason why it should not apply to the officers of municipalities?—It is quite possible that in the municipalities outside London there may be different local Acts in operation.

11,270. No, practically you are in much the same position as regards the future electorate and as regards the pensions.

11,271. (*Chairman.*) But you want something more than change, do you not?—I think that officers before they are dismissed should have a right of appeal either to the Treasury or the Local Government Board to see that they are being justly dealt with. For instance, a man in my position—and sanitary officers, where we have to do very unpleasant work very often, have to interfere with a man, meaning hundreds of pounds out of his pocket, causing him to do something. That man is not your friend in the future, and you either have to drop your duty and play your own hand or do your duty, sir, and very likely neglect your future.

11,272. (*Lord Farrer.*) I want to be quite clear; do I understand you distinctly that you have known cases where, without notice to the officer beforehand, the pension has been refused?—I have known cases where the surveyor has become so old after long service as not to be able to discharge his duties any longer, and that he has had to resign and no pension granted to him upon his resignation.

11,273. And has that been in the case of a vestry that has been in the habit of giving pensions before, or have they established a rule that they will give no pensions, or is it only the discretion exercised in a particular case?—It is the discretion exercised in a particular case owing to, perhaps, the opinions of the vestry changing; owing to the changing character of its constituents.

11,274. (*Chairman.*) Is the case which you have in your mind a case of a vestry which had been in the

habit of giving pensions?—Speaking from memory, and I think I am speaking correctly, sir, the vestries that I am referring to have granted pensions in former years.

11,275. (*Lord Farrer.*) And then they have changed their mind, and suddenly and arbitrarily have refused a pension?—Changed their mind, my Lord, in considering the individual. Executive officers, especially outdoor executive officers, are open to a great deal of unpopularity; the Commission will see that at once.

11,276. (*Chairman.*) You also want to have aggregate service reckoned, do you not?—Yes, sir; I think that men—take myself, for instance, I have served 34 years in Kensington, if I went and transferred my services, we will say to Westminster, I do not think I ought to start a new service there, that my 34 years' service should be transferred to Westminster if I went on there for another 10 years then I should be entitled to 44 years' service, and not to 10 years, because the new board which I would serve would have had all the benefit of the 34 years' experience that I had gained elsewhere.

11,277. Would you make the new board pay the whole of the pension, or would you require a contribution from the first board?—Well, I think it ought to come from the new board, sir.

11,278. Do you think you would ever be taken on under those circumstances?—I was just coming to that, because no doubt the new board, upon whose service I was entering, would take that fact into consideration; that if they elected Mr. So-and-So to this post, probably in so many years' time they would have to grant him so much pension; and if they had another person without that drawback, they might give him the preference; they would make the bargain with their eyes open, but they might give me the appointment, thinking they would get better value for the salary.

11,279. (*Lord Farrer.*) You also make the bargain with your eyes open when you go from one board to another, do you not?—At present, decidedly, my lord.

11,280. (*Mr. Smith.*) Before you leave that question of pensions why should you in London be put in a better position than the officers of municipalities throughout the country?—I cannot speak as to the position of the other officers, sir.

11,281. You may take it from me that they are in the same position as you are at present, dependent upon the corporations, except in one or two isolated cases where pension funds have been established, and that has been based on the contribution of the officer?—Then, in that case, sir, I say that the officers throughout the country should be in no worse position than the officers in London if they are placed in similar circumstances.

11,282. Are you in favour of a system obtaining in the municipal service similar to that which obtains in the civil service of the State?—I should say so, sir; virtually that the word "may" in the Superannuation Act should be read "shall."

11,283. I am not likely to disagree with you, but at the same time, I do not see why you should have an advantage in London that did not extend to anyone else.

11,284. (*Chairman.*) You think also that the local divisions of London require to be re-arranged?—I think the present parochial divisions of London might be re-arranged with advantage for the government of London. Some of them are very large, others are very small; some of them have little detached pieces, perhaps three miles away from the other portion of the parish; they have to maintain a separate staff, and there is increasing difficulty.

11,285. Do you think some are too large?—No, I do not say that, sir; there might be one or two of them; one very fully populated may become rather unmanageable, but at present I do not think that of any the divisions of London. I think St. Pancras and Lambeth are the two largest divisions of the metropolitan area. Lambeth is rather a straggling parish, reaching from Westminster Bridge to about the Crystal Palace, and of peculiar shape, but it is not all built over, and I have never heard in conversation with the surveyor of that district that there is any difficulty in working it.

11,286. We, however, reserve the question of any being too large. Now, are some too small?—I think so, sir.

11,287. Give us an illustration?—Well, some of the central parishes of London about the Holborn district are very small parishes. I have not the list before me, but a map showing the parochial divisions throughout London will show the point that I am referring to that there is a number of small parishes. If you were to enlarge the local divisions the local authority could afford to employ better people to do their work: if you have a small district, say you want to appoint a surveyor or an engineer for that small district, well you either have to give some two or three hundred pounds salary per annum to a man to give the whole of his time and look after the work of that district, or you have to give the same salary to a man of better attainments to give a portion of his time, whereas, if it were a large division you could give a proper salary to a proper man to give the whole of his time to look after the work of that district.

11,288. And you think that some of the divisions in the centre area at present are too small to have efficient officers for their service; that is your point, is it not?—Not quite in that way, sir; I should not like to put my answer in that form; what I say is, that the working of such a district could be improved by amalgamating it with another, enlarging it.

11,289. (*Lord Farrer.*) The Holborn district, for instance is a small one?—That is a very small one, yes. St. Giles's is very small, the Strand is a small district; there is Clerkenwell, I think St. James', Westminster, is not very large, likewise St. George the Martyr, Holborn, St. George's, Bloomsbury, St. Giles-in-the-Fields; if you take one of these little districts and put it beside the district of St. Pancras, or my district of Kensington, which extends from Albert Gate up to Willesden Junction, you would have room to put, I suppose, ten of them into Kensington or St. Pancras.

11,290 You speak also of re-arranging the detached portions of the districts?—Yes, that would be one of the points included in a re-arrangement of the districts, these detached portions ought to be put into the districts of which really they form a part. For instance, take my own district, adjoining my district at Kensal Green, just by Kensal Green Cemetery, there is a detached portion of Chelsea; the nearest point of Chelsea to that detached portion is some four miles southward. Then Kensington, we have a small portion detached which goes into the river Thames, just by Chelsea Bridge.

11,291. (*Lord Farrer.*) Is that detached?—Yes.

11,292. Separate from this?—Yes, it does not cause me any trouble, that particular part, because there are no buildings upon it, but there it is right away from my district.

11,293. With respect to that detached portion of Chelsea, do they have to send their carts and their men to that district from the other, or how do they manage?—They have a separate depôt up there, and they have to let the work as a separate contract.

11,294. A separate contract?—With separate foremen to look after it, and then the surveyor has to journey all the way from King's Road, Chelsea, so many times a week to see how the work is going on.

11,295. (*Chairman.*) Do the inhabitants of that region like to be in Chelsea?—I do not know.

11,296. Or would they like to be absorbed with Paddington?—I cannot say; I do not know what the feeling of the district is.

11,297. In that other detached portion which is under your area, do you think they would willingly

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part from you?—There are few people living there, it is merely a portion of the Chelsea Hospital grounds, a portion of the Chelsea Embankment, or part of Tite Street and a portion of the river.

11,298. What parish is that in?—That is all surrounded by Chelsea.

11,299. (*Lord Farrer.*) It is in the parish of Kensington, surrounded by Chelsea?—It is a part of the parish of Kensington.

11,300. (*Chairman.*) Not in St. George's, Hanover Square?—Not in St. George's, Hanover Square; it may abut upon it on one side, I think it is at the meeting of the boundaries, but it is really in Chelsea.

11,301. You are also apparently of opinion, your association, that the county of London might be enlarged?—Yes, we think some of the outlying districts ought to be brought within the county of London. There are a number of districts round London now that are practically part of London; they enjoy all the advantages of immediate contiguity to the metropolis, and they do not, as far as I can see, bear the burden of taxation of the county.

11,302. (*Lord Farrer.*) Which districts do you refer to?—Well, speaking more from personal knowledge round my part of London, the furthest parish in the metropolitan area is Hammersmith. Well, you come to a point in Hammersmith, immediately beyond which is Chiswick, to all intents and purposes just the same; that is outside, but immediately you get a little beyond that you get to Kew and Richmond; a little northward you come to Acton and Ealing; northward, you come to Willesden, virtually all as much part of London as the places they adjoin, and yet they are all separate and distinct from the metropolis.

11,303. (*Chairman.*) That might be undertaken in the future, perhaps after it has thoroughly shaken down into shape as it exists at present?—It might possibly be thought, sir, that the present area is sufficient to embarrass the central government.

11,304. (*Mr. Smith.*) No, I was going to make the same observation that when the rest of the municipalities have made their extensions, perhaps London may have its turn, but we are all very much in the same position.

11,305. (*Lord Farrer.*) Richmond, for instance, has an organisation of its own?—The Corporation.

11,306. So has West Ham?—Both recently created.

11,307. (*Mr. Smith.*) There is no precedent for the absorption of these, I think, at present?—If I might be permitted I should like to add to the remarks which I have already made, by stating my opinion, that in any amendment of the government of London; in constituting the new district councils, (if they are to be constituted) their powers should be somewhat amplified; I think, if the duties and responsibilities of the district councillor, who would take the place of the now despised vestryman, if those duties and responsibilities were made more attractive and onerous, we should attract to the service of the district men of standing who are now kept out, as it were, by the paltry character of the work which they are called upon to perform, and if in the future through the alteration of voting, that class which we seek to attract are still further repulsed the local government of London will materially suffer both in the mode of the execution of the work, and the expense attending upon its execution. I think the district councils, enlarged in area upon the points which I have mentioned before, should be put somewhat more in the position of the corporations of the provincial towns throughout England. I do not see why, speaking for my own district, Kensington—I think there are only two towns in England which possess a greater rateable value than Kensington—why we should not enjoy the same privileges as Birmingham or Manchester or any of the other large towns in the country. At the present time the work is so split up between the vestries and the London County Council that it is most intricate and difficult to follow. For instance, if I might refer to a report which I placed before my Board when the London Building Law (Consolidation) Bill was before the County Council in 1891, some of my remarks were as follows:—

London Building Law (Consolidation) Bill.

To the Vestry of the Parish of St. Mary Abbotts, Kensington.

4. "The supervision of buildings under the Building Acts is vested in district surveyors, appointed by and responsible to the London County Council. The district surveyors are paid by fees according to schedules appended to the Building Acts.

5. Under the Metropolis Local Management Acts, the vestry is charged with the duty of supervising the drainage of buildings, their frontage lines and the depths of foundations. Under this dual system of supervision overlapping jurisdiction arises, causing unnecessary expense in the supervision, and creating unnecessary trouble to builders. It is instructive to note the perplexities of a country builder, starting his first building work in the metropolis. Used to the plain and straightforward procedure of a provincial town under the Public Health Act, it takes considerable time and patience before he can be made to understand what he has to do to satisfy his several official supervisors. Notice must be given to the district surveyor as to the commencement of the building; simultaneously notice must be given to the vestry's surveyor of intention to excavate foundation. The latter has to see that the excavation is not taken too deep for proper drainage, and the former has to inspect and consider as to the necessity of ordering concrete over site. Should the builder wish to construct a sewer, he is informed that duplicate plans must be sent in to the vestry, who (after giving their sanction) pass one plan on to the London County Council for *their* approval, which they re-convey to the vestry, who finally communicate with the applicant and supervise the work of construction. Should the builder require to make a projection beyond the building line of frontage, then he is told to reverse his former procedure. He must send duplicate plans to the London County Council, who transmit one copy to the vestry for its opinion, which is communicated to the Council, who decide upon the case and communicate the result to (1) the applicant, (2) the vestry, and (3) the district surveyor, and the two latter are charged in duplicate with the supervision of the work under the order. When the builder wishes to proceed with his house drainage work, he has to submit a plan for the approval of the vestry, who supervise the work as it progresses, and water-test same on completion. Whilst the vestry surveyor is looking after the drains, water-closets, sinks, rain-water pipes, &c., the district surveyor is looking after the walls to which they are affixed; and yet, notwithstanding this wasteful system of duplicate supervision, the net result does not ensure that the house shall be sanitarily fit to live in. Is it to be wondered at, that the provincial builder aforesaid gets somewhat bewildered by the complicated metropolitan procedure? He has been used to the Public Health Act, submitting his plans for building construction, frontage, drainage, &c., to the city or borough authority, who supervise everything, and in many instances issue certificates as to the sanitary fitness of the building when completed.

8. A conference of delegates appointed by 34 metropolitan vestries and district boards held two meetings at the Town Hall, Chelsea, to consider as to the reform of the local government of London. The delegates appointed by Kensington were the Hon. and Rev. E. Carr-Glyn, Mr. H. Saunders, Q.C, Mr. J. F. Torr, and Mr. H. Holmes. The delegates held two meetings, and passed certain resolutions, which were embodied in a memorial forwarded to the Prime Minister, the Marquis of Salisbury, on the 5th August, 1890.

One of the paragraphs (4th) set out in the said memorial is as follows:—

"That in the opinion of this Conference, the office and functions of the district surveyor under

the Building Acts should be in the hands of the local boards and their officers, with an appeal to the London County Council."

In support of the foregoing resolution, the memorial set forth (par. 6) :—

"With regard to the transfer of the office and functions of district surveyor under the Building Acts as suggested in the resolution" (as above), "your memorialists submit that the reasons for this suggestion are very cogent: if effected, it would prevent unnecessary duplication of officers, and the local authorities may rightly be expected to be more acquainted with the needs of their own locality than a central body can possibly be. Under the present arrangement, sometimes the areas for which district surveyors act are not easily defined—their limits are assigned without regard to their coinciding with those of the areas for which the local authorities are constituted. Two notices are now given, one to the vestry as the local authority, and the other to the district surveyor, and it might happen that the requirements of the two different authorities would be brought into conflict. The proposed change would effect an economy in the mode of administration; it would remove the confusion which now prevails with regard to district surveyors, some of whom have only limited hours of attendance for the execution of their duties; and the whole business relating to buildings would then devolve upon the local authorities. The district surveyors are paid by fees, whereas the surveyors of the local authorities are paid by salary—a more convenient and satisfactory arrangement."

9. Upon the occasion of the delegates from the Conference on the Public Health (Amendment) Bill waiting upon the Local Government Board, on the 25th June 1891, the Right Hon. C. T. Ritchie stated that it was his desire and intention in the District Councils Bill, which he hoped shortly to introduce, to enlarge the scope of usefulness and responsibilities of the local authorities. In connexion with such statement it may be fitly asked what duty more desirable and important can be cast upon the local authority than the responsibility of seeing that the buildings within its district are erected in such a manner as to be suitable for human occupation, with due regard to fire risks and health risks of the general community? As urged in the memorial above referred to, all such work should be vested in the local authority, as is the case in provincial towns. Drawings for each new building should be deposited, the intended drainage, depth of foundation, line of frontage, open spaces, water supply, and sanitary arrangements should be clearly shown. Upon the said drawings being approved, the work should be executed under the supervision of the local authority, and on satisfactory completion a certificate given, which could be affixed inside the building; such certificate would be of great advantage, both to the owner of, and the individual contemplating residence in, the house. Unauthorised alteration of the drains or sanitary arrangements when completed as aforesaid should be punishable at law. At the present time, after a drain has been completed, tested, and passed by the vestry's officials, there is nothing to prevent the occupier or other person making without notice some alteration which may entirely destroy the perfection of the drain.

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10. In effecting any change on the lines hereinbefore advocated, Parliament would, of course, take care that no injustice should accrue to the present district surveyors, and the work of the future would have to be safeguarded by precautions being taken to ensure proper professional knowledge on the part of the officials undertaking the transferred duties. One of the risks under this head is in the case of small districts, where the work is not sufficiently extensive or responsible to justify the appointment of a properly qualified man at a sufficient salary to give the whole of his time to his public duties. No public surveyor should be allowed to practice privately—the evils of such dual system are too apparent and well-known to render it necessary for me to dilate upon them.

11. The above difficulty (as to small districts) may be met by uniting two or more together, so as to create districts with a population of about 200 000 each. Such an enlarged district could afford to pay for the whole time of a properly qualified surveyor or engineer, who would have no difficulty in finding ample scope for the useful employment of his skill. The work of a fairly large district can be better and more economically executed than in a very small district, especially where the local authority performs its own work, instead of executing same by the aid of contractors."

In conclusion, sir, as there is a Bill before Parliament, the present session of Parliament, which is antagonistic to some of the points which I have placed before the Commission, I would finally recommend that the consideration by Parliament of the London County Council Streets and Buildings Bill should be postponed until this Commission has submitted its report.

11,308. I hope you are taking steps to bring that opinion before Parliament?—I venture with all humility to place it before you.

The witness withdrew.

Mr. Lewis Angell, Borough Engineer of West Ham, called in and examined.

Mr. L. Angell.

11,309. (*Chairman*) Mr. Angell, you come from West Ham?—Yes, sir. My position is somewhat different to that of the other two gentlemen who have to give evidence, because, although I was a metropolitan surveyor, many years ago, for some five years, for the last six or seven and twenty years I have been the borough engineer of West Ham, now a corporation for the last seven or eight years. I need hardly go through the points which have been submitted by the last witness. I may say that generally I agree with them. The very last point he referred to, the division of duties between district surveyors and the vestry surveyor, involves very largely the question to which he referred, of the qualification of officers. The theory is that a district surveyor is a better qualified man, of higher professional standing than the vestry surveyor. I do not say it is so in fact, but I say the theory is; so much so that Parliament requires that the district surveyor shall pass a statutory examination to prove his qualification, but there is no doubt whatever that the mixture of duties between the two surveyors is a difficulty.

11,310. Well, your experience in West Ham is entirely outside these problems?—It is, because West Ham is a large place, and all these matters which are mixed in London are combined in my department as borough engineer. But there is one point which I think I might be permitted to bring before the Commission, that is the injustice, the very grave injustice, we think, which has been done to West Ham by our very contiguity, so to speak. Our rates are getting enormously high on account of the school board rates. Our workmen come into London in their thousands daily; in fact, I have got a return from the Great Eastern Railway Company of the workmen's tickets only,—the workmen they bring in and out daily,—and it amounts to something like 2¼ millions of men yearly travelling into London, doing their work in London, really London working men, but coming outside to West Ham to educate their children in the board schools. The consequence is that West Ham has a larger school board population of children than Liverpool, and nearly as large as Manchester. The children we are educating require a rate for the

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present half year of 1*s.* in the pound, which is at the rate of 2*s.* in the year, whereas in Liverpool, their rate is only about 5½*d.* in the pound for the year. These people, as I say, live in our place, go to London to earn their money, and do their work and leave their children upon us to educate. That has a bearing upon the equalisation of rates. Of course there is a Bill before Parliament, as you are aware, sir, for the equalisation of the rates of London.

11,311. Do they use that word?—Yes, I think they use that word equalisation of rates.

11,312. (*Mr. Smith.*) Equalisation of rates of London?—Of London.

11,313. (*Lord Farrer.*) You are not within the School Board district of London?—No, but we say we are educating the children of the London workmen; they come in and out by the workmen's trains because their houses are cheaper and we have this enormous number—West Ham 37,826 children on the school board register, whereas at Liverpool there are only 24,625, and at Manchester 40,000 odd. The annual school board rate of Manchester is 6¾*d.*, Liverpool 5¾*d.*, the London rate is 10½*d.*, and West Ham for the present half-year alone 1*s.*

11,314. What is your remedy?—The remedy we suggest is that when the equalisation of rates is adopted, it should extend, in the matters of poor rate and School Board rate, to West Ham.

11,315. That you should come within the London School Board district?—Well, I do not exactly know how that should be done; whether it should be done by a subvention, or a contribution to our funds. Now, Woolwich is an example. Woolwich is under a Local Board outside London, yet it is mixed up with London in many matters. They pay the London School Board rate, although they are not part of the metropolis.

11,316. (*Mr. Smith.*) Does not this result from your having cut yourselves off from London and made yourselves a separate municipality?—No, we have never been in London; it would have been a happy thing for us if 30 years ago we had been in London.

11,317. If you had not made yourselves a separate municipality the probability is that the County Council area would have been extended so as to take you in?—I do not know, they might have included us originally.

11,318. (*Lord Farrer*). I think there have been considerable negotiations between the County Council and West Ham on the subject of drainage, have there not?—On drainage, yes.

11,319. West Ham is within the natural drainage area, and wants to and does make use of the London sewers.

11,320. (*Mr. Smith.*) You set up business as a separate municipality without quite considering all these obligations?—It may be in that way. No negotiations have ever taken place either on the side of the Metropolitan Board of Works, or the London County Council, or on our side, for joining the metropolis completely. Of course, as Lord Farrer knows, there have been considerable discussions as to the reception of our sewage.

11,321. (*Chairman.*) You are not prepared to advocate the absorption of West Ham in the County of London?—Well I have no instructions that way. I appear to-day as representing the Association of Municipal Engineers, and not as representing West Ham, but I am aware of these facts, which are very serious indeed, and West Ham will move undoubtedly in connexion with that Equalisation Bill to get a contribution or to get some relief in the matter of school board rate especially, and possibly poor rate.

11,322. What did that extraordinary figure of 2¼ millions refer to?—Workmen's tickets, the trains.

11,323. Over what period?—Over a year; over one year.

11,324. Over a year?—That was the year ending 1892; it would be larger now.

11,325. The journeys made in the course of the year, do you mean?—The tickets sold.

11,326. Are the tickets day tickets or week tickets?—Some are return tickets, and some are cheap tickets, and some are day tickets, but the total number of tickets issued during the year to working men, working men entirely, and in addition to them there is a very large travelling population of clerks and school board teachers and people of that class.

11,327. Well that is interesting, but perhaps a little further than we are required to go in our examination. Have you anything to add to the evidence of the former witness with respect to what he was telling us about?—I think not, sir; I think I agree, generally, upon the division of districts, it is exceedingly artificial, and I should say altogether unreasonable. You see on this map which the Commission has that there are some exceedingly small districts which have been already referred to, Clerkenwell, St. Luke's, and then, immediately adjoining, enormously large districts, ten times the size, and you do not get that proper class of officer that you would if it were put upon a different basis—larger.

11,328. What is your idea of the proper unit; the preceding witness said something about 200,000 population; what is your own idea?—Well, I have not formed any particular idea. My own private views run rather to the Bills that were introduced some years ago, the suggestions about dividing London into some six or eight municipalities with definite duties, such as would create an interest in the people of the district becoming members of the corporation for instance; in this case I am only giving you an hypothesis, West Ham might remain a municipality under a general municipality of London.

11,329. You find it rather burdensome, apparently, to be a separate municipality?—In our rate, sir.

11,330. In West Ham?—I do not quite follow.

11,331. Do you not find it rather burdensome, the honour of being a separate municipality?—Only by the work that London throws upon us in its poor, but more especially in the school board. Our municipal rates, as such, are, upon the average, not excessive at all, it is the enormous school board rate which weighs so heavily upon us.

11,332. (*Mr. Smith.*) That is a consequence of being a municipality, the school board area has been fixed by public general statute to be the same as the municipal area; it is one of the consequences of setting up in business as a municipality that you have had to pay your own school board rate. I should like to know, are you satisfied with the experiment of making West Ham a separate municipality?—Oh, I think the representative body are satisfied that they are an autonomy. I am bound to say there is a feeling cropping up outside upon the enormous increase of rates, but that is not due to the municipality; as I have just now said, our municipal rates are not excessive at all.

11,333. Pardon me, is it not?

11,334. (*Chairman.*) If the law says that the municipality and the school board area must be the same?—In that sense, yes.

11,335. You, having made it a municipality, you draw the other consequence upon you?—But we were equally independent all the way through before we were a municipality; we had our own school board; we were a local board for 30 years.

11,336. But you now have introduced a considerable obstacle?—That may be.

11,337. (*Lord Farrer.*) You say the workmen come and live in West Ham. Why do they come and live in West Ham?—Because they find homes, small houses.

11,338. Cheaper?—Cheaper.

11,339. But I suppose the rate helps to make houses dearer?—Yes, our difficulty is the school board rate; there is great danger of driving them further afield.

11,340. You want to have your cake and eat it, I think; you want to be independent, and you want to have rates equalised where they fall heavily upon

you?—We do not suggest that; we should not go outside precedents. There are a good many precedents for it.

11,341. (*Mr. Smith.*) But you rather advocate the extension of a system from which you are suffering.

11,342. (*Lord Farrer.*) You want equalisation of rates where your rates happen to be heavy?—Well, not quâ municipality.

11,343. But you do not want to have equalisation where your rates happen to be light?—The Local Board of Woolwich outside London shares in the London School Board rate.

11,344. (*Mr. Smith.*) But wishing to be perfectly frank with you, you do not think that in the case of a large city like London, it is a wise thing, is it, to make all the poor part—West Ham is rather an illustration of it—into one municipality, and all the rich part, like Kensington, into another municipality; you would not advocate such a system as that, would you?—No, not put in that abstract way.

11,345. (*Chairman.*) It is a concrete way, that?—Now take the police rate, the police rate extends over a large area, and each district, whether it be poor or whether it be rich, contributes in the same proportion to the police rate; we say apply that precedent to the school board rate in West Ham.

11,346. (*Mr. Smith.*) But you have not dealt with my question, I think. My question was one which did not deal with particular rates, but was rather one on a general principle. You have just now advocated the principle of seven or eight municipalities for London. That must involve some municipalities being very poor and some very rich?—Yes.

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11,347. Do you think that that is a sound system?—With the overshadowing municipality of the great City of London, the County of London, which shall contribute to different districts, something on the principle that the existing poor rate is distributed in London.

11,348. You do not propose when you have separate municipalities that they should be absolute in themselves; there should be an over government?—No, there should be an over government like the London County Council or the late Metropolitan Board of Works, which should have a general control of a common purse for things like the school board and poor rate; then these separate municipalities should do the local government.

11,349. Even if you had separate municipalities, unless you had a great many common charges, you would have some municipalities very poor and some very rich in the same city?—Well, yes it might be so.

11,350. Do you think that desirable; should not the whole community stand together and help each other?—Well, it is so now. Kensington—

11,351. But you are proposing to alter it; you are proposing to make separate municipalities?—For local government, for district councils.

11,352. Then we probably come to the same thing.

11,353. (*Chairman.*) Have you anything further that you would like to add?—No sir, I do not think there is anything further.

The witness withdrew.

Mr. G. R. Welby Wheeler, Surveyor to the Vestry of St. Margaret and St. John, Westminster, called in and examined.

Mr. G. R. W. Wheeler.

11,354. (*Chairman.*) Mr. Wheeler, you are the surveyor of Westminster?—I am; I have been surveyor for 12 years now, sir. I agree with Mr. Weaver's evidence, excepting that I should like to add that I think it very necessary, or rather I would suggest in the formation of any large control of London, that some association or society should be held up from which the officers should be selected, or rather that they should have preference. Our society, which I represent, sir, is suffering—that is, the surveyors of London are suffering—from men being appointed who have not been educated as surveyors, or who know very little of the work. Unfortunately, interest in the locality obtains them the position, so what I thought, if it could be possible, that the Commission might suggest was, that either they should be selected from the Society of Engineers or the Municipal Engineers, or the Surveyors, and should hold those qualifications. You see, sir, it is a very difficult thing without a man is educated as a surveyor. Now the medical officer—they have none but doctors, but unfortunately we know of cases where they have appointed surveyors—in one case a railway guard, in other cases foremen; it simply means the interest they have got.

11,355. Where did that case happen—in the metropolis?—Not in the metropolis, no, sir, but still I think it should be laid down that they should be selected, or rather that they should be men either passing an examination of either of these three societies that I have mentioned, or that they should have qualifications, and not interest by which they obtain the positions now.

11,356. You think the time has come when there should be a register of qualified surveyors, approved by examination, and that these appointments of surveyors to the different local boards should be restricted to persons of that class?—I do, sir, and further, I may say that they then would get gentlemen who would carry out their work with strictly engineering skill and would thoroughly understand what they were doing.

11,357. Something like the Society of Chartered Accountants?—I think, sir, that is just the position.

11,358. (*Mr. Smith.*) You point rather to what we have all been dreaming of; the creation of a municipal civil service, which should embrace all branches of municipal work?—Well, sir, perhaps it is something on those lines.

11,359. Which is, no doubt, a great desideratum.

11,360. (*Lord Farrer.*) Do you wish your society to be confined to persons who are in the service of municipal bodies, or is it to be an association of surveyors who are in private practice as well?—Well, I should say further, that the society should be confined to surveyors, assistant surveyors, or pupils educated for those positions, passing an examination.

11,361. Like the Society of Chartered Accountants, persons who should be of your class, and be capable of being employed in the public service?—That is so. Then, sir, there was one other point beyond on Mr. Weaver's evidence, and that was, I agree with him, as regards the compensation paid to officers, and I only point out that we only want what the Government officers have or receive. I believe that that is so, and if any one officer has been serving so many years at the War Office, and he is appointed to the Admiralty, he does not lose the length of service at the War Office.

11,362. (*Chairman.*) That all comes out of one purse. How would you arrange in the case suggested by Mr. Weaver, of the man who served 30 years at Kensington and then served the last 10 years of his service at Westminster?—I am not sure how that could best be arranged; if it were paid by the last employer it might work some hardship at first, but ultimately it would equalise itself.

11,363. Would you leave it, as he proposed, to be paid by the last employer?—Kensington might receive from Westminster an officer that had served the same time here in the same position.

11,364. Would not that operate frequently against the promotion of the men?—No, sir, because they would have the experience. If Westminster said:—"We must have a man who has had 20 years' ex-"perience in Kensington, and we will pay him a good "salary; we do not mind."

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11,365. Supposing you have got two men, very nearly equal to one another, and out of one you may reasonably expect 30 years' work before he has a pension, and out of the other only 10 years' work before he has a pension?—That would be more for the doctor to say—the condition of his health.

11,366. It would be a question for practical people who have to do with the appointment; surely you must recognise that difficulty?—That might be, but I think it would equalise itself after a few years.

11,367. (*Mr. Smith*). You must not forget that if you are going to ask for civil service pensions you must also ask for civil service salaries. It has to be taken into consideration when the appointment is originally made, whether the man is going to have a pension or not?—That is taken into consideration, sir, very largely because many surveyors if they were in private practice, after they were old enough, sir, would make much more than they now get in the service of the local authority.

11,368. As a rule I think we find municipal officers are paid rather better than Government officers?—Well, I have not found that in the position of engineer, sir.

11,369. Well, you are scarcely municipal at present, you hope to be, but I think it is the experience in the country generally, that the higher officers, at all events, are quite as well paid as any officers in the Government service?—That may be, sir; we do not find that in London.

11,370. (*Lord Farrer*) Then another point is, that where there are pensions, as is the case in the Government service, those pensions operate to prevent a man from changing from that service and leaving the service and going elsewhere?—Oh that would be the same here.

11,371. But is not that the case with you? You are in the service of one vestry where they give a pension, you want to go to another; well, you are tied to your old vestry by the fact that they would give you a pension if you stayed there?—We are under the central authority, whatever the central authority is at the present time.

11,372. Yes; but it is not the same authority; you change your service and the pension acts as a tie to the service in which it is earned?—So does the Government, the Government official goes from the War Office to the Admiralty, he is still under the Government.

11,373. That is all one purse?—Still he changes from one place to the other.

11,374. It is one purse?—That may be; still I only ask that we should in some way be treated in the same way.

11,375. What you are looking to is the creation of some general municipal service, at any rate for London.

11,376. (*Mr. Smith.*) I hope when you get it, you will include your poor provincial brethren?—I think, sir, they will look after themselves.

11,377. (*Chairman.*) Have you anything further to say?—I have nothing more to add, sir, except that I agree with Mr. Weaver's evidence.

The witness withdrew.

Adjourned till Thursday the 5th April at 11 a.m.

TWENTY-FOURTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 5th April 1894.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

Mr. W. F. Dewey.
5 April 1894.

Mr. WILLIAM FRANCIS DEWEY, Clerk to the Vestry of Islington, called in and examined.

11,378. (*Chairman.*) Will you tell us, Mr. Dewey, what your position is?—I am the vestry clerk to the parish of St. Mary, Islington; I have held that appointment for over 11 years, and before that for 14 years (I have been 25 years in the office) I was what is termed there chief clerk, that is really assistant vestry clerk.

11,379. The same vestry?—Yes.

11,380. You appear here not authorised to express the opinions of the vestry upon the subjects under consideration?—I think I may say I do, upon the main points.

11,381. Your parish is one of the most considerable in the metropolis?—It is, if you take the three bases of area, population, and rateable value, the most considerable, I think, in the metropolis or in the Kingdom.

11,382. Would you give us those three figures?—The area is 3,107 statute acres; that is the seventh in size of the 70 or more parishes in the Metropolis, exclusive of the City of London. Its population is, at the present time, over 325,000; I think that is the largest number of any parish in the United Kingdom, and the population is larger than that of any Parliamentary borough or city outside the metropolis, with the exception of Liverpool, Birmingham, Manchester, and Leeds; no other corporate town or city has so large a population with those exceptions.

11,383. (*Lord Farrer.*) In England?—In England. Its rateable value is over 1,700,000*l.*, and in this respect it stands third among the parishes of the metropolis, next to St. George's, Hanover Square and Kensington, and probably exceeds the value of most of the cities and corporate towns of the kingdom.

11,384. (*Chairman.*) The local governing body in Islington, as elsewhere in the metropolis, is the vestry?—Is the vestry; the vestry of course in Islington has the powers of a district board, which many of the vestries of the metropolis have not.

11,385. You have a Burial Board?—Yes.

11,386. And Commissioners for Baths and Wash-houses?—Yes.

11,387. What is the relation between those and the vestry?—The Burial Board and the Commissioners for Baths and Wash-houses are appointed by the vestry, and usually they are appointed—in fact they are always appointed,—from among their own members

—that is not compulsory by the statute, but it is a fact that they are.

11,388. They may be chosen from outside?—From outside. Neither the Burial Board nor the Commissioners for Baths and Wash-houses can fix or raise the salaries of their officers without the consent of the vestry, and of course there is some control exercised with regard to financial matters, although there is no doubt that the commissioners are to a considerable extent independent.

11,389. Have you adopted the Free Libraries Act?—We have not. I should like to say with regard to that point, that it has been a question in the parish of Islington, as I think in other parishes in the metropolis, whether there will be much advantage resulting to the inhabitants from the adoption of the Free Libraries Act. It has to be borne in mind that in Islington, as in many metropolitan parishes, the City or the West End forms what would be the business centre of ordinary municipal boroughs. The inhabitants of Islington, perhaps a large proportion of them, very seldom pass through the central street, so that a free library, unless there were a number of free libraries, would not be a very great advantage perhaps to the whole.

11,390. We need not enter into that. How has your vestry hitherto been elected?—It has hitherto been elected under the Metropolis Management Act by the ratepayers for the time being—those who have been 12 months rated and are at the time ratepayers on the rate-books of the parish.

11,391. For what period are they elected?—They are elected for three years; one-third going out annually.

11,392. Does the recent Act make any alteration?—Very considerable alteration.

11,393. What?—I have prepared a report on that Act for my vestry. The alteration refers mainly to three points. It extends the electorate to, I think I may say, an unprecedented extent by combining both the Parliamentary and the Municipal or County Council registers; the result of that will be that lodgers—all male lodgers I should say—all male persons on the Parliamentary Franchise by virtue of service and freeholders—male freeholders who would have a vote for the county in respect of property in Islington, would be entitled to vote, and at the same time all ratepayers who are on the County Council register, whether men or women. At the present time no lodger, or person occupying by virtue of service, or freeholder is entitled to vote.

11,394. You add, in fact, the male Parliamentary constituency which is not already included, or so many of those persons as are not included in your local electorate?—Oh yes, yes.

11,395. That is what you add?—Yes.

13,396. What number have you got on your register, do you estimate, hitherto?—Well, I must explain that up to the present time the vestry elections have not been based upon a register at all; no register is required; the rated occupiers for the time being—at the time of the election, which is held in May—who have been rated for 12 months, are entitled to vote. The result has been that the ward elections were always conducted from two rate-books, the present rate-book and the rate-book of a year ago. In those rate-books there would be something like—well the number of rateable hereditaments would be about 38,000, possibly a considerable proportion of those—some proportion at all events, would be empty and would have left. I dare say you might say that not more perhaps than 32,000 or 33,000 would have been eligible.

11,397. (*Mr. Smith.*) One-tenth of your population?—Yes, something like that. Then allow me to explain the reason why it appears to be so large in comparison with the total register—the total electorate—who will now be able to vote. By the Registration Laws the parliamentary register and the municipal register both have to be prepared some considerable time beforehand, and there is of course always a large number of ratepayers in the parish who are disqualified from being placed on the register at all.

11,398. (*Chairman.*) Yes, but we have not yet got to the point. I understand you now to say that up to the present time the estimate is about 30,000 persons qualified to vote?—I should think it is probable there would have been.

11,399. Well, what would be the addition made to that by the recent alteration of the electorate—of course it is an estimate?—Yes; well, I should say that the actual addition of persons who are entitled to vote would not be probably more than 10,000. I should say 40,000.

11,400. One third added?—Quite so; but there will be a very large extension of the classes of persons; that is what I am anxious to show. It will not be the same class of persons exactly, many persons who are ratepayers at the time will not be entitled to vote now.

11,401. I do not understand that?—Will you allow me to illustrate it in this way: I will assume that the election at Islington is going to take place in November next; it probably will not be, but I will assume that it is going to be, carried out under the present Registration Laws. The result will be that no one who had come into the parish since the 15th July 1893—that would be for nearly 16 months—no one who had come into the parish since July—the 15th July 1893—could vote.

11,402. That is as far as regards the Parliamentary register; but would that be true as far as regards the Local Government register?—As far as regards the whole of the register, the registration for both purposes. The registers are prepared, by reference to the 15th July 1893, that register comes into operation on the 1st January 1894, and remains in force until the end of 1894. You will see that that causes a very remarkable limitation of persons who are capable of voting.

11,403. Then as respects the duration in office of the vestrymen, that remains unchanged?—That remains unchanged.

11,404. Unless the alteration is made by the County Council?—Yes, quite so. Then perhaps you will allow me to follow up your question; in what other respects this new Act will affect the government of the vestries of the metropolis. The next point in which it makes a very large change, of course, is in respect of the persons to be elected. They no longer require any qualification, but that of being on the register to start with. That would, of course, enable any male lodger who had an occupation of 10*l.*—any ordinary ratepayer—including by the constructive interpretation of the word any person occupying a room in a let-out house, and by a somewhat remarkable—I do not think I have got the Act with me, by-the-bye,—by a somewhat remarkable, shall I say it, qualification or extension of the qualification, words were introduced which, in addition to qualifying any one who might be on the register as capable of being elected, qualified also any person who, not being on the register, had resided in the parish for 12 months prior to the date of election. I do not know whether the members of the Commission have followed that point at all, but it has this peculiarity. I should have thought myself that the intention of the Legislature was to simply qualify those persons who had failed to get on the register, because they had come into the parish since the register was made. But the result of it will evidently be that any married woman living with her husband who could not get on the register, any daughter or son of any ratepayer, if of sufficient age, will be qualified under these words to be elected a member of the local governing body, having resided in the parish for 12 months prior to the date of election.

11,405. Is there anything else you have to say as to the composition of the electorate or the qualifications of those to be elected?—Not anything on those two points. The third point, of course, will be an alteration in the mode of election, which I think is

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very advantageously altered, so as to be carried out by means of the provisions of the Ballot Act and the Corrupt Practices Acts and so on.

11,406. Very well; now as to the powers of a vestry; would you briefly tell us what those are?—The powers of the vestry. I prepared a summary sometime ago when the Bill of Sir William Harcourt was under consideration, as showing what the duties, the status, and powers of the vestry were. The vestry is a board of works constituted by the Metropolis Management Act. I use the term "board of works" because I mean to say they are, in fact, a board of works, having the entire control of the roads and footpaths, lighting, drainage, and removal of dust and ashes, and incident to this control, though acquired by subsequent Acts, their sanction is necessary before tramways, electric lighting, and other schemes similar in character can be introduced into the parish, the working of which, when introduced, is moreover to some extent subject to their supervision.

11,407. (*Mr. Smith.*) Just one moment to clear up a point; your description of them as a board of works is your own description; it is not statutory?—No, it is not statutory. I mean to say that the Metropolis Management Act gave certain vestries a power which in smaller parishes were given to a combined number, to a board of works.

11,408. It is well when using terms which have a statutory meaning to confine them to the statutory meaning, otherwise it is confusing rather?—I could not well have explained it otherwise, it is not a vestry having this power, but really it is a vestry turned into a board of works—although not by name. Then as the authority under the Public Health (London) Act, under Part II. of the Housing of the Working Classes Act, under the Sale of Food and Drugs Act, and under the Factories and Workshops Act, they look after unhealthy dwellings, unwholesome food and noxious trades, and are empowered to provide for the prevention of disease, the analysis of food, the removal of refuse, and the proper drainage, ventilation, and other sanitary appliances of dwellings; and to make certain byelaws and to enforce those byelaws and others which are made by the London County Council dealing with the removal of nuisances and other matters. Now, thirdly, a very important feature which I would call attention to in connexion with the parish of Islington, because I attach importance to it—my vestry does, and it is not uniformly the fact throughout London that the vestry has these powers—they are, under their local Acts, the overseers. That is, they make—which many of the vestries do not, Lambeth for instance—they make their rates, they make and collect their rates, they assess all rateable property in the parish, prepare the Valuation Lists, estimate the expenditure necessary for various purposes, collect and recover the rates, and excuse from payment those whom they think entitled on the ground of poverty, and have power under the Poor Rate Collection and Assessment Act, 1869, to compound with the owners for payment in certain cases should they deem it advisable. Indirectly by the powers given by the local Acts of nominating overseers and appointing churchwardens, they exercise a control over disorderly houses, the preparation of the Borough and County List of Voters, the preparation of the jury lists, and more particularly over the administration of certain local charities; and further, by the powers given them by the Valuation Act, 1869, in common with but a few of the other parishes in the metropolis, of appointing from among themselves an Assessment Committee, they indirectly retain the power of finally settling the assessment of the parish originally prepared by themselves as overseers. They have also various powers, under numerous other Acts, miscellaneous in character, more especially in regard to the Burial Board, Free Libraries, Baths, and Wash-houses, Open Spaces, Electric Lighting, Tramways, Locomotives, &c., and I may add, as the London local authorities are sometimes sneered at for being behind the times in comparison with municipal authorities outside London, they have put in force the Burial Acts, the Baths and Wash-houses Acts, the Open Spaces Acts, and the Electric Lighting Acts to an extent and at an expense which I think will compare favourably with the municipal authorities of the kingdom. We have established two very large sets of baths and wash-houses, and are now carrying out a third. We have recently purchased a very large site for the purpose of electric lighting, carrying the electric light throughout the whole of the parish.

11,409. (*Lord Farrer.*) Doing it yourselves?—Doing it ourselves. And I think with regard to open spaces—I do not know whether Lord Farrer was a member of the Metropolitan Public Gardens Association, but the noble Chairman of that association has complimented the vestry of Islington upon the manner in which it has adopted and carried out those Acts. I think we have a larger amount of area of open spaces under the control of the vestry than any other parish in London.

11,410. You did not ask the London County Council to undertake the charge of them?—Not in any case, except the one of Highbury Fields, to which we contributed one-half the cost. It is a very large area, almost a park.

11,411. Only the small areas?—Only the small areas.

11,412. Areas which in many other places are maintained by the London County Council, you maintain yourselves?—We do.

11,413. (*Chairman.*) How many members are there in your vestry?—120.

11,414. Is that number, do you think, adequate or redundant; would you have it increased or diminished?—Well, I think, perhaps, with advantage sometimes, it might be diminished. I am hardly expressing the views of the vestry, perhaps, when I say so; I do not know that it tends to——

11,415. I presume much of its work must be done through committees?—Yes; but the numbers tend to a waste of time often in debating matters which, perhaps, would be settled more readily by a small number.

11,416. (*Mr. Smith.*) What are the sizes of your committees?—Well, our largest committee—the Works Committee—is composed of 60 members. Of course, it is an absurd arrangement, but the arrangement has always been in the vestry to appoint someone of its members upon every committee.

11,417. (*Chairman.*) How many committees have you?—We have a Works, a Public Health, a General Purposes, and Finance Committee, these are the only four. The Assessment Committee is a statutory committee.

11,418. (*Mr. Smith.*) You have given us the numbers of one committee, what are the numbers of the others?—The Public Health Committee, 24 members. Really the division was this originally; 60 to the Works, and 20 to each of the other three committees, making the total number of vestrymen, so that every vestryman was on one committee, and no vestryman was on more than one, but recently they have appointed six members from other committees on the Public Health Committee.

11,419. You have given us your opinion as to the advisability of reducing the number of members of the whole body; what is your opinion about the committees?—I think the Works Committee might be reduced with advantage; the difficulty, of course, as the members of the Commission will understand, is the jealousy that is perhaps likely to be excited among gentlemen who are not appointed upon some committee.

11,420. (*Chairman.*) How often does your vestry meet?—Their regular meetings are twice a month, on the first and third Fridays, but I suppose we might say that they meet, taking the average of the year through, something like three times a month.

11,421. At what hour do they meet?—Seven o'clock in the evening.

11,422. What is the average time of the sitting?—Never less than three hours, very frequently over three, that is, carried on to ten or eleven.

14,423. And how often do your committees meet?—Each committee meets, corresponding with the meeting of the vestry, twice a month; they also of course frequently have an additional or extraordinary meeting.

11,424. They do not meet oftener than the vestry does?—They would for special business.

11,425. As a rule?—As a rule they do not.

11,426. (*Mr. Smith.*) Do they also meet in the evening?—Nearly all of them—not one of these four committees but meets in the evening; all meet in the evening.

11,427. Have you any opinion upon that?—Well, from an officer's point of view I think it is objectionable.

11,428. (*Lord Farrer.*) You have to attend the vestry meetings?—I have to attend, and the staff has to attend. I cannot but feel that in the interests of the members as a whole you could not expect that they would devote—the most valuable men are probably busy men in the City and elsewhere—and although personally I should like to see day meetings, I do not think we could expect the members of the vestry—the more valuable members of the vestry—to devote their time to it during the day. Then I was going to add, with regard to their powers, that they appoint, fix the remuneration of, pension, dismiss, and retain the entire control over, the whole of the staff of officers employed in the execution of the before-mentioned powers and duties, with one exception, viz., the Medical Officer of Health, who can only be appointed or dismissed with the sanction of the Local Government Board. I am in your hands, Mr. Chairman, with regard to what you wish to ask me. I should like, however, to deal with the liabilities.

11,429. (*Chairman.*) You draw attention to the economy of the government of Islington as compared with smaller areas?—Yes; and as evidenced, if I may say so, by the recent report of the County Council, which refers to the outstanding loans of the various parishes both for county and local purposes.

11,430. And you think that Islington is about an ideal area, neither too great nor too small, for local administration?—I certainly think so—from the Islington point of view. I am not prepared to say for one moment that the same area is absolutely necessary, that it should not be larger or smaller in other parts of the metropolis. I mean, having regard to the fact that Islington is an established local government, an old parish, with recognised boundaries, and so on.

11,431. You do not wish to see it cut up, and you do not wish to see it enlarged?—No, certainly not.

11,432. (*Lord Farrer.*) It has a tolerably good boundary?—A very good boundary indeed.

11,433. (*Mr. Smith.*) And all one parish, I think?—And all one parish. You see I call attention in the next point to the rating of Islington. I have prepared some—

11,434. (*Lord Farrer.*) What was the table that you said you had prepared? Are those the whole rates?—No; those are the local rates—exclusive of county or central rates— which are the same practically in every parish in the county. This is an exclusively local rate, as shown by your own Comptroller's return. I have taken them out in this shape for my own purpose, comparing unions with parishes.

11,435. Including the poor rate?—Including the exclusively local poor rate.

11,436. Not the common poor fund poor rate?—No; not the common poor fund. You will see there is a remarkable agreement between the population and the rateable value of the two, whereas the rates in the pound are something like 4*d.* in excess.

11,437. (*Mr. Smith.*) Have you a great number of poor?—Well, we have a large number. But I suppose relatively not, because we pay, I know, a large amount to the common poor fund instead of receiving from it.

11,438. You are an ideal middle-class population, are you not?—I should think so.

11,439. (*Chairman.*) There is no very poor district in Islington?—Well, there are poor; but very little of the kind you would meet with in Whitechapel, or in some of the East-end parishes, or in some of the southern parts.

11,440. (*Mr. Smith.*) You would occupy about a middle position between the poor parishes, and Kensington as representing a rich one?—Yes, I should think so.

11,441. (*Lord Farrer.*) How would you compare with St. Pancras in your rates?—Well, I should think to a large extent something of the same class of people. I doubt whether we have such large assessments as they would have, perhaps, round Regent's Park. Well, I daresay the highest assessments in the parish, I suppose, would be about 150*l.* or 200*l.*—nothing over 200*l.*, I should think.

11,442. (*Mr. Smith.*) Those are houses; of course manufacturing premises would be different?—Yes. There are very few manufactories in the parish; it is essentially a residential parish.

11,443. (*Lord Farrer.*) Islington?—Islington—for small clerks, and artizans, and people of that kind—residential.

11,444. It has not one of the large railway stations in it?—No, not one of the large railway stations; they are all in St. Pancras.

11,445. (*Mr. Smith.*) And you would run from 10*l.* up to about 200*l.*?—I do not think we have any assessments so low as 10*l.* I should think 20*l.* I should think the average would be between 30*l.* and 40*l.*

11,446. That is what I say—an ideal middle-class population?—Yes.

11,447. (*Chairman.*) Well, now, assuming that the qualification of the electorate, and of the persons to be elected, is fixed by the recent Act, have you anything to say as to the style or title of the Vestry or District Council?—No, I do not certainly attach any importance to it. I think district council will be a very good term. I am not aware that my Vestry attaches much importance to municipal honours—although perhaps I am hardly justified in speaking—but I do not think they do. There is only this to be said, that of course honours, if I may say so, are held by some to be a test of the value which the Legislature itself attaches to the carrying out of duties. Otherwise, I think, we are very indifferent to the title.

11,448. There is no desire—apart from the question of work to be performed—to get your body transformed into a Mayor, Aldermen and Corporation?—I think not.

11,449. (*Lord Farrer.*) Do you object to the title "Vestry"?—Well, I think there are some who think—it is rather outside than in the vestry itself—that there is a sort of obloquy attracting to it as associating it with some ecclesiastical functions.

11,450. (*Mr. Smith.*) That is altered by the new Act, is it not?—Oh, no.

11,451. Are you still "Vestry"?—Oh, still "Vestry." We are only, so to speak, given the modes of election which are given to district councils. But there is no alteration.

11,452. But I apprehend you will be called district council whether we recommend it or not?—Oh, no; not under the Act—because our style, title, and seal is that of St. Mary, Islington. We shall have no power to alter it.

11,453. (*Chairman.*) If a proposal were made to alter it from vestry to district council?—I think that would be an advantage.

11,454. Of no importance one way or another, but perhaps an advantage?—That would be an advantage, I think, because it implies a relation to the County Council too.

11,455. Would it be any advantage if the chairman of the future were called the Mayor of Islington?—I should say not.

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11,456. It would not dignify the position, so as to make some one person representative before the world of Islington?—My personal opinion—I should not like to go further than that—would be that it would not.

11,457. On what ground?—Well, because I think the title would be given without any corresponding—what shall I call it—power to carry out many of the functions which are carried out by the mayor of a municipal body. There is, I apprehend—I am not speaking from my own personal knowledge—but I apprehend in connexion with the mayoralty of most of the municipal boroughs—there are certain funds probably, certain means shall I say, of giving banquets and various matters of that sort which are associated somewhat with a civic character. Well, I apprehend nothing of the sort could be done or provided in Islington; and therefore the title would be an empty one to a large extent.

11,458. Of course funds are voted by the Municipal Corporations—may or may not be voted—since some corporations of great importance vote nothing for the support of their Mayor?—Well, I can understand it in such places as Liverpool, Manchester, Birmingham, or places such as that which visitors go to see. But I should say here such functions and such civic duties would be better, in my opinion, carried out by the chief Municipality of London.

11,459. What functions, what civic duties?—Well, such as those attaching to the reception, we will say, of distinguished strangers and foreigners, and various things that I hardly have in my mind at the moment.

11,460. Might there not be functions of that character attached to London as a whole, and some similar functions attached to the particular division of London?—Oh, possibly so. I am not, as I say, I am not saying that my vestry would not be pleased, or that the parishioners would not be pleased; personally I should attach comparatively little importance to it.

11,461. You think there might be some little confusion if you called the chairman of the District Council of Islington a mayor when he would not have the exact position of the mayor of a municipal corporation?—That is my personal opinion.

11,462. (*Lord Farrer.*) Do you think it would have any effect in preventing persons who had not large means of their own from accepting the situation?—Certainly it would if it cast upon him the responsibility for private expenditure.

11,463. Your chairman is now elected from year to year?—No, the vicar is chairman *ex officio* by statute.

11,464. (*Chairman.*) That will be altered though?—In November.

11,465. (*Lord Farrer.*) Is your vicar practically chairman?—Yes, and takes a very great interest in the meetings.

11,466. Is he there at every meeting?—Always there—makes a point of going, and makes a point of being present at every meeting.

11,467. (*Chairman.*) He is a very active vicar?—Very active indeed.

11,468. Mr. Barlow?—Mr. Barlow. He takes no part but simply acts as chairman for the purpose of governing debate. He is very highly appreciated as chairman in fact I should not be surprised if he were elected.

11,469. (*Mr. Smith.*) Does he attend any of the committees?—Never.

11,470. How does he keep in touch with the work?—As a matter of fact he does not need to keep in touch with the work. He is really nothing more—if I may say so—than the Speaker in the House of Commons; he is really the governor of the proceedings, of the debate.

11,471. (*Chairman.*) But he is very attentive?—Very, indeed.

11,472. Hard working in that capacity?—Yes.

11,473. (*Lord Farrer.*) Is that ever any objection to him on the part of Nonconformists as occupying the place?—Not the slightest. I think they would be better pleased with him if he were elected than that he should take the chair from his position as vicar, a kind of political opposition or polemical.

11,474. You say Islington took a leading part in opposing Sir William Harcourt's Bill?—Yes.

11,475. That is to say they opposed strongly the delegation of powers from a central authority to the Vestry?—The excessive centralising tendencies of the Bill—your Lordship will remember that by that Bill, really all powers were vested in a Common Council, and they were to be given off again to district councils, which were not even constituted by the Bill, but were, I think, left to the Common Council itself to constitute.

11,476. Quite so; so that Islington wished to retain original powers?—Quite so.

11,477. And not to have them delegated to it by the central body?—Quite so. I had the honour of a conversation with Sir William Harcourt upon the matter, with regard to the maintenance of roads, at the time.

11,478. And the feeling of Islington would still be that Islington ought to retain its original powers, being a body elected directly by its own ratepayers?—Undoubtedly; and having as many more transferred to it as is consistent with the good government of the metropolis. I would especially urge as regards rating that each body authorised to charge the rates should make a precept direct upon the district council, and that the latter should make a separate rate in respect of each precept. What can be more absurd and misleading than that the "poor rate" should include main drainage, county, police, and other expenditure, or that the "general rate" should include education; or what can tend more effectually to debar ratepayers from criticising efficiently the expenditure of those they elect to govern them than the system at present in force of lumping all sorts of incongruous expenditure under two or three no longer expressive headings.

11,479. (*Chairman.*) Well, we now come to the special transfers that you advocate?—I have just glanced casually at the evidence, which your Secretary was good enough to furnish me with a draft of, of Mr. Leete, Mr. Tagg, and others who have preceded me from the vestries, and I am of opinion that, if local government is to be anything more than a name, and if you really wish not only to retain the name of local government but to keep in the administration of it men of honour and responsibility, you must transfer to them, or rather they must retain, responsible duties; it is a real interest they like; but the real interest is in the responsibility, and to some extent in the magnitude of the duties with which a man is entrusted. I think that the Vestry of Islington might have transferred to it the administration of the Building Acts, the Weights and Measures Acts, Contagious Diseases (Animals) Act, Explosives Act, and other similar Acts, subject to byelaws to be framed by a responsible authority. It seems to me that if byelaws were framed so as to ensure a certain amount of uniformity it might with advantage be left to the local authority to administer these Acts.

11,480. What authority should frame these byelaws?—Well, my own opinion, I confess, would be in favour of such a body as the Local Government Board.

11,481. Not the County Council?—No; and I am sure your Lordship will excuse me for giving the reason. My opinion with regard to the London County Council—and I think it is a feeling shared by our vestrymen—is (I speak only as regards Islington) that the members of the County Council are men in no better position than themselves to carry out these Acts; they are men elected, so far as I know, from the same class and by the same body—two of them are members of our Vestry; others are men of precisely the same social position; I am not aware that they have any powers which enable

them to judge better than the local vestrymen could themselves do. But the London County Council has in my opinion, and in the opinion of my Vestrymen, this very grave disadvantage—that the views of the eight members who represent Islington are likely to be overshadowed and entirely lost sight of in the preponderance of members who have no interest whatever in Islington.

11,482. (*Chairman.*) With respect to these byelaws?—Yes. With respect to general matters—the administration of Acts generally which affect the interests and local government of Islington, we say, if we are to consider these, we prefer being governed by a body that represents Islington.

11,483. (*Mr. Smith.*) You seem rather to forget that Islington is only a part of another large town called London?—I may appear to, but I am speaking of my vestry—speaking here, to some extent, as the representative of the Vestry of Islington.

11,484. You cannot ignore, you know, the whole of the town that you belong to?—No. I say with regard to that I admit a safeguard—what I think should be safeguarded—some amount of uniformity and the interests of the metropolis, by saying that byelaws for the administration of these Acts should be framed by some central body who would have regard to the whole interests of London.

11,485. But do you not get that knowledge in the County Council which you would hardly expect to get from a Government Department which was not representative?—But my own opinion is that with regard to byelaws—the byelaws themselves for the general administration of the Acts might be well framed by some central body such as the Local Government Board.

11,486. (*Chairman.*) Now, fasten your attention upon one specific subject, such as the Building Acts—if there is any desirability of having uniformity in the administration of the Building Acts throughout the metropolis would not the experience brought from all parts of the metropolis in the County Council be a more valuable guide in securing that uniformity than the experience of the Local Government Board—each division in the metropolis suggesting its own byelaws, thus brought before a body receiving suggestions from all the divisions?—In reply I would remind you that the byelaws under the Public Health Act are not framed by the Local Government Board, but they are framed with its sanction and approval, and practically brought into uniformity by the fact that they are sanctioned and approved by the Board.

11,487. (*Lord Farrer.*) They are framed by the Council and submitted to the Local Government Board?—Some were framed by the Council and others were framed by Islington, and those framed by the Council were practically submitted to the sanction of the local authorities of Islington and other bodies; and I think I might go further than that, and I think I might say, and I should be prepared to prove, that very valuable suggestions which had certainly escaped the notice of the London County Council, were inserted in your byelaws at the suggestion of the Surveyor and Medical Officer of Health of Islington.

11,488. (*Mr. Smith.*) I presume the London County Council have some officials who have experience?—I should think so—a very large experience. Still I have a strong opinion myself that the Local Government Board is not so likely to be affected by the popular feeling of the time—in whatever it does—that its policy is more likely to be continuous. The byelaws of the London County Council might depend—I do not say they would—to a large extent upon whether Mr. A. or Mr. B. happened to be in his place at the time they were under consideration.

11,489. (*Chairman.*) Can you suggest a kind of byelaw that might be modified in consequence of that presence or absence?—I should think many possibly with regard to the Building Acts.

11,490. Give me an illustration?—I do not know that I have one in my mind.

11,491. (*Lord Farrer.*) Might not a byelaw take one direction or another as a particular official was in a certain position at the Local Government Board, as an inspector or a secretary?—Yes, that might be so. But I think personally I should have more faith in the continuance, if I may term it so, of a certain kind of policy.

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11,492. And would those officers represent the general feeling of London to the same extent as the Chairman of a Committee of the London County Council, or an officer acting under that Committee?—Well, I do not think they would always represent the popular feeling of London.

11,493. Is it not desirable that they should from time to time represent the general feeling; is it not desirable that they should always represent the general feeling, as expressed by a popular majority?—Is it desirable that they should always represent the general feeling?

11,494. I am assuming that popular government is a good thing for London; you seem rather to be inclined to get away from popular government to a Government Department?—Yes, I think with regard to certain general byelaws for the administration of various Acts of Parliament it would be of advantage.

11,495. (*Chairman.*) We are all probably agreed that a judicious mixture of local government from the Islington point of view, of government from the County Council point of view—that is the whole of the metropolis—and of the experience brought from the whole of the kingdom through the Local Government Board, might be made use of in governing any particular area. But what are the special advantages of introducing the Local Government Board as against the County Council in framing these byelaws for the administration of these particular Acts in Islington?—Well, in my opinion, byelaws framed by the Local Government Board would be more likely to be in continuance of some recognised principle than they would be if framed or altered from time to time by a popularly-elected body. I quite recognise Lord Farrer's point; and I think it would be met by this: I think the London County Council and the vestries should have a voice—if you like should prepare the byelaws: I am not saying us only, but the London County Council too, and that as in the case of the other byelaws under the Public Health Act, of Baths and Washhouses and other Acts, these byelaws should have the final sanction and approval of, and be fixed, by the Local Government Board.

11,496. (*Lord Farrer.*) Do you observe that if the Vestry is to have the final administration of the Acts, and if the Vestry and the Local Government Board are to settle the byelaws, the County Council—that is the central popular representative of London—is excluded altogether?—Mind, I think the London County Council might be allowed a voice in the settling of the byelaws.

11,497. (*Chairman.*) Would it be enough then if you allowed the County Council to frame byelaws for the administration of these Acts, subject to an appeal against them on the part of the Vestry to the Local Government Board?—I think so.

11,498. We have spoken of the functions that you think might be transferred to the Vestry from the County Council. I suppose you have nothing to suggest that the Vestry now has that might with advantage be handed over to the County Council?—I do not recall them. I do not think I have touched upon them at the moment.

11,499. Then what have you to say with respect to the relations of the Vestry to the Council?—Well, as a rule, the relations of the Vestry with the London County Council are harmonious. But it must be remembered that in matters over which the control of the London County Council differs from and overlaps that of the Vestry, and as the Vestry probably think sometimes thwarts their action, it does not lessen their annoyance and their loss of self-respect to know that the body by whom they are overruled is composed of

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persons of much the same social standing and education as members of the Vestry, returned by almost the same electorate, and equally liable with members of a vestry to be influenced by feeling or prejudice, no more likely to be guided by principles, and possessing in the opinion of Islingtonians this further disadvantage that not one in 20 of them has the direct interests of the parish of Islington at heart.

11,500. (*Mr. Smith.*) But what does this point to—do you ask for a House of Lords? Social position—what has that got to do with it? I should have thought intelligence had much more?—Then I will say again they are persons elected, we venture to think, from the same class both as regards intelligence and social standing.

11,501. That is only saying the same thing in other words?—Yes.

11,502. (*Chairman.*) You must have a little wider experience?

11,503. (*Lord Farrer.*) They are elected from a larger area, are they not?—Yes, they are elected from a larger area. As regards their knowledge of Islington, only eight of them represent Islington.

11,504. (*Chairman.*) I think you said two members of the County Council were members of the Vestry?—Yes.

11,505. Do you think that of any special value in your conduct of the relations between the two bodies?—Yes, I think it would certainly be an advantage that the members of the Vestry should be members of the London County Council—that the members of the London County Council, rather, should be themselves members of the Vestry—the members representing Islington on the London County Council.

11,506. Do you think if they were *ex officio* members of the Vestry it would be an advantage?—I think it would.

11,507. Is there any other suggestion you would make for bringing the two bodies together?—No, I do not think so.

11,508. (*Lord Farrer.*) Do you think that the fact of the recent Acts in altering the Vestry franchise will have that effect—it assimilates the franchise of the Vestry rather more to the franchise for the Council than is the case at present, does it not?—No; I do not think it does.

11,509. Do you think that would make any alteration?—Well, I daresay it will be more likely to introduce party feeling into the elections of the Vestry. The elections of Vestry have been remarkably free from that in the past.

11,510. Do vestry elections turn on political party feeling?—Not the slightest.

11,511. Not at all?—I never heard the question mentioned at all. I think the County Council elections do, in fact, to a large extent; they are treated as feelers for the parliamentary elections, and I think that now the vestry elections will be treated as feelers for both.

11,512. (*Mr. Smith.*) Have you had a very keen and exciting interest shown in the election for the Vestry hitherto?—No, I cannot say we have; but I think, notwithstanding the parish has been very well governed, I think the absence of that exciting interest is to some extent a proof that the people are tolerably well satisfied with their government.

11,513. (*Chairman.*) The only practical suggestion you make is that the members of the County Council for Islington should be *ex officio* members of the Vestry of Islington?—Well, I do not know whether it would be possible. I think I saw such a suggestion thrown out in some evidence given before, that the elections might be conducted at the same time, and the persons who were returned as the highest on the poll as members of the Vestry should be thereby constituted the members for the London County Council—that the electorate should have the power of returning at one swoop the best men for both the vestry and the London County Council.

11,514. (*Mr. Smith.*) A ticket election?—Yes.

11,515. (*Chairman.*) What do you say about that?—I think if it were practicable it would be an advantage rather.

11,516. But suppose you had the two elections on the same day on different lists, the same names might be on the two lists?—Oh, yes, they might be.

11,517. You would be able to get in that way all the advantage without the necessity—a hard and fast necessity—of putting the top men into the County Council?—The necessity you think, perhaps, would be objected to by the individual himself.

11,518. Sometimes?—He might; but would not that be got over by rendering it voluntary on his part to forego the office and pass it to the next on the poll?

11,519. Well, the electors might say then, "That "is not what we want." The electors want to select County Councillors and the electors want to select District Councillors. If they want a man to serve as a County Councillor and also as a District Councillor, they would select the same names. If they do not want the same persons to discharge both functions they would not?—Just so, of course; but it very often happens that a man rather refrains from putting himself forward for a County Councillor—although he may be a very good administrator and a very capable representative of a parish—because he dislikes the fuss and advertisement and everything connected with it. I feel that that will be a means—and I have not the slightest hesitation in expressing it here—that it will deprive Islington at this next November of some of its most valued representatives.

11,520. Do you not think if you tied up the County Council and the vestry elections together in the way suggested of making all top candidates the County Councillors, you would inevitably bring all the fuss and contest into your Vestry elections?—No. I think we are sure of that now under any circumstances. It is not a strong opinion—my own feeling is this, that if a man is considered by the people—(if popular representation is worth anything)—to be the best man to administer the affairs of Islington in the Vestry, I should be almost inclined to say that he would be the best man to represent it in the London County Council.

11,521. (*Lord Farrer.*) Your elections will not be now triennial, will they?—Annual.

11,522. They will be elections of one-third each year?—That, of course, will be a difficulty.

11,523. That is so?—Yes.

11,524. That is not altered?—No.

11,525. And the County Council elections are triennial?—Yes; oh, I quite see—I was only saying, if practicable, I think——

11,526. I was going to ask you about that—what your experience tells you about that—which of those two systems would you prefer?—I think the annual.

11,527. You mean one-third going out?—I mean one-third going out.

11,528. You prefer that?—I do; because it enables the electorate to keep continually in touch with the elected body, I think.

11,529. Do you see any reason why the franchise should be different for the vestry from the County Council?—As it will be now.

11,530. It will be slightly different?—Very different. I think it is a disadvantage; personally, of course, I do not approve, and I think many of the Vestry do not, of giving to persons, who have, if I may say so, no liability—no responsibility—in the parish, a vote in the administration of the affairs of the parish. I am speaking, of course, of lodgers.

11,531. (*Chairman.*) That is past praying for?—Quite so. I believe in the County Council electorate as being the proper electorate.

11,532. And you do not, in pursuit of uniformity, propose that the County Council electorate should be altered so as to extend to the district council electorate?—No; except with a view to what I was saying a few minutes ago, that if the elections could be held

together, it might be an advantage as bringing the two more into touch, I think.

11,533. (*Mr. Smith.*) Although that would involve a larger vote in the County Council?—Quite so.

11,534. Do you really think your valued members of the Vestry will hesitate to place their services at the disposal of the new constituents?—I am afraid of it. I have heard them express their opinion—men who are excellent members of committees, but who never speak.

11,535. A provincial tour would do them good, I think. Come down and see some of our big municipalities? — Yes. You remember many of the interests you find in Birmingham are found here to a large extent by residents in Islington, not in Islington itself, but in the City of London. You must remember we have no centre such as you have; the dignities and the honours are all found elsewhere out of Islington.

11,536. You find them in the City?—In the City to a large extent; possibly in a different social life at the West End.

11,537. (*Chairman.*) Islington has a character of its own?—Yes, to a large extent.

11,538. And a history of its own?—Yes.

11,539. Merrie Islington?—Yes.

11,540. It might be revived?—Yes. I apprehend the Chairman will agree with me, from his long experience, that one of the drawbacks to exciting an interest in local government in London is a want of central feeling in the various parts, that there is no common centre.

11,541. (*Mr. Smith.*) But notwithstanding all that you have done, you have omitted to establish several things that would be very interesting; libraries, schools of art, technical schools, and art galleries, all of which apparently you have not touched? — We have not touched some of them because we have no power as a Vestry to touch them; but I myself and many members of the Vestry are now interesting ourselves in a technical institute under the late charities foundation. The Vestry would be very glad to take it up.

11,542. (*Lord Farrer.*) I think some suggestions have been made by other persons interested in district local government in London that the particular feeling which you speak of as not existing and apparently desirable, might be assisted if there were some such titles of those of an ordinary corporation, mayor, councillors, and so on; you did not seem to jump at that suggestion at all?—No, I doubt whether the titles alone, without something more, I was going to say the means, but I referred to what I meant before, the powers—would be of much value.

11,543. The gentlemen that you spoke of that take such a useful part in the affairs of the parish are gentlemen whose names are well known and who get honours or distinctions of some kind or another in other parts of London?—No, I think not; I am speaking of them simply, probably as known in the Vestry of Islington for hard work, hard and conscientious work in administering the affairs of the Vestry.

11,544. They are men who like the work?—Like the work?

11,545. Like the work?—Yes.

11,546. But who do not care for the fuss and trouble of a popular election, that is what you mean?—That is what I mean; one has seen in connexion with County Council elections, posters and things of that kind which are irritating and annoying to the sensitive mind. I have seen it in connexion with the elections of your own body, things which, in my opinion, a sensitive mind would not care to go through.

11,547. (*Lord Farrer.*) I think, Mr. Dewey, you took part on a committee which we had at the County Council on the subject of rating assessment, did you not?—Yes, a leading part perhaps I might say; I think Islington promoted that Conference.

11,548. Do you not think that that sort of communication is, and would be, useful?—Yes, conferences on such points, and in fact in my evidence here I speak of the importance, and perhaps your Lordship may know that I am one of those who have somewhat differed from the vestries, or from the vestry officials, of London in maintaining that it was desirable that the London County Council should have control in this matter of valuation.

11,549. I remember it?—I have been very strong upon that point, because I have said that if there is one thing more than another in which it is desirable that there should be some central control it is in connexion with the contributions of the various units to the common fund.

11,550. And the valuation that was necessary for purpose?—Each local governing body in London contributes as much as it pleases to the common government, and no more—you understand what I mean—by assessing itself.

11,551. (*Mr. Smith.*) By controlling the assessment?—By assessing itself; and such scandals, I was going to say, had arisen that Islington suggested this interference on the part of the Council. In dealing with the relations of the Vestry to the London County Council, I have only referred generally to them. I want to point out, as I presume this is one of the points for which you have been kind enough to ask me to attend here, what I think of the disadvantages, and I have instanced them by two or three cases under various Acts where the Council has control, and where the Vestry overlaps to some extent the control of the Council.

11,552. (*Chairman.*) Would you give us some illustrations?—Now under the Metropolis Management Act—(this I attach very great importance to, and the Vestry does,)—under the Metropolis Management Act, 18 & 19 Vict. c. 120, s. 118, the Vestry is empowered to borrow for the purposes of that Act—various purposes—but they can only do so with the previous sanction of the London County Council. I venture to think that this sanction has been in the past, and is likely to be, refused arbitrarily and without cause, and, as I have said before, by men who are not capable of judging of the interests of the parish of Islington. Now I propose to give instances, if you will allow me. One of these instances refers to the Metropolitan Board of Works, but, as a matter of fact, my point is this—it is not against the London County Council as a county council, but as against a body similarly elected having controlling powers as regards matters connected with borrowing by the Vestry. Now by section 98 of the Metropolis Management Act the Vestry are empowered to pave and repair streets, and by section 78 of the amending Act, 25 & 26 Vict. c. 102, the liability to pay the cost of flagging unflagged footpaths under certain conditions is cast upon the occupiers. That section has been repealed by a later Act (Mr. Bolton's Act) which has cast the liability on the owners, but for the purpose of my point it is the same thing. There are a very large number of such footpaths in Islington—remains of the old gravelled footpaths of 40 or 50 years ago—and in 1886 the Vestry took the opinion of Sir Horace Davey, Q.C., and Mr. Lumley Smith, Q.C., as to whether they could safely pave them and charge the cost to the general rate. The reason we took the opinion was because, while there was the general power to do paving works, there was a special liability cast upon occupiers. Counsel advised that we could do so. We then applied to the Metropolitan Board of Works to advance the money, 12,500*l.*, on loan, as works which we were authorised to borrow for under the Metropolis Management Acts. A very long correspondence took place between myself and the solicitor, to the Board (Mr. Ward was then the solicitor), and the Board refused to lend the money on the ground that we had no power to borrow for such a purpose.

11,553. They assigned that ground?—They assigned that ground.

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11,554. You say here "presumably"?—I think I may say that that was really the point in dispute. They were advised by their counsel, Mr. Carson, I think, that the Vestry were not empowered to borrow for such a purpose as that. I think it was decided (I looked up the minutes of the time)—that point was decided in a popularly elected Board, by a majority of 25 to 22. Now I lay strong stress upon that point, that such a matter might have been decided either way, according to whether A, B, or C were present or not.

11,555. (*Mr. Smith.*) It was scarcely a popularly elected Board, was it?—Well, they were men who were popularly elected in the first instance.

11,556. They were men elected exactly in the same way as you suggest men should be elected in the future from the vestries and district boards?—Quite so, and they were popularly elected.

11,557. Yes, but it was indirect?—Quite so, but they were popularly elected, as they were representatives of the Vestry.

11,558. They were representatives of a popularly elected body?—

11,559. (*Lord Farrer.*) Did they refuse to lend the money?—They refused to lend the money, and the footpaths remain unflagged to the present day. The Vestry could not flag those footpaths; they have no power, as Mr. Smith is aware, no doubt—the vestries have no express power to borrow money for these purposes under the Public Health Act. You have, we have not. I mean to say we have no power to extend the payment of it over a large term of years, unless we can first borrow the money.

11,559*a*. You have to get the sanction of the London County Council for the period for which you borrow?—Quite so.

11,560. (*Mr. Smith.*) Or pay it out of current rate?—Or pay it out of current rate; it would have been too heavy for the present ratepayers.

11,561. A footpath may be made and paid at the time?—Might be made up by small instalments at the time.

11,562. (*Chairman.*) Have you tried this since?—No.

11,563. (*Lord Farrer.*) Not with the County Council?—Not with the County Council.

11,564. (*Mr. Smith.*) You had some doubt about the legality yourself apparently?—Undoubtedly we had. We were advised by counsel that we could safely do it, and Mr. Carson advised the Metropolitan Board of Works that they could not with strict safety lend the money.

11,565. (*Lord Farrer.*) Was it only that they could not lend, or that they could not give their sanction to your borrowing?—No, that they could not lend.

11,566. That they could not lend; but you did did not try to get it from anybody else?—No. because they would not. I may say I do not think the questions were treated as distinct at the time; we asked for the consent of the Council, I am not sure whether we did or not, but we asked for the consent and the money in one, as it were.

11,567. (*Mr. Smith.*) If you had been very anxious about it you might?—Not without the consent of the Metropolitan Board of Works.

11,568. Did they refuse their consent, or refuse the loan?—Practically they refused their consent, that is what it amounted to.

11,569. (*Lord Farrer.*) Do you think that a local body should be able to borrow for any purpose, for any period, without any restriction?—Certainly not, that is what I am coming to; I insist here again—undoubtedly I think I am right here in insisting—that the control should be vested in a body such as the Local Government Board, who control loans, as we are all aware, for nearly every other purpose.

11,570. Are you coming to the London County Council for a loan, or for sanction for a loan, for electric lighting?—Yes.

11,571. Well, you are aware of what happened with regard to the loan to St. Pancras the other day?—Yes; I am aware, too, of a point I was going to emphasize, that if I am not mistaken the London County Council, a popularly elected body, granted such terms to the Vestry of St. Pancras as regards their first loan—I think such terms as regards the repayment of the money which I should say no—(what shall I call it?) none but a popularly elected body would have granted.

11,572. Too favourable terms?—Too favourable terms—simply in deference, I think I am right in saying, to popular pressure.

11,573. But on this last occasion they did not do so, they refused to extend the loan for the period for which it was asked?—Yes, and there was a considerable sensation, I think, created at the time, in consequence.

11,574. There was an important debate upon the question; and the London County Council came to this conclusion, that they would not sanction the duration of a loan for a longer period on the whole than the estimated duration of the works for which the loan was made. That was the principle upon which they acted, I think?—But as a matter of fact the loan has to be sanctioned, has it not, in the first place—the terms have to be sanctioned—by the Local Government Board?

11,575. It has to be sanctioned by the Council—I do not know what other responsibility there may be, but the Council have to determine it; that responsibility is thrown upon them?—Yes.

11,576. Well, they came to that conclusion upon the principle that I told you; have you any fault to find with that?—None at all; but I think there is very great danger whether they will always be guided by such considerations.

11,577. (*Mr. Smith.*) You object to popularly-elected bodies?—Certainly, for this purpose, as controlling another popularly-elected body.

11,578. I am afraid Parliament has gone a bit beyond you?—But bear in mind the question I am dealing with now is the control question—the control of one popularly-elected body for our purpose—borrowing money on its own rates,—by another popularly-elected body.

11,579. You were scarcely a popularly-elected body till the Act of 1894?—Why not?

11,580. Because you had, among other things, a qualification of your members, of elected members?—We were elected by the ratepayers of the parish.

11,581. Yes?—Quite so.

11,582. There was a qualification for your members?—But whether or not, it does not affect my point, that it is undesirable that a popularly-elected body should control the borrowing powers of another popularly-elected body when they are going to find the security, the security is found by the parish of Islington, the rates of the parish of Islington. And I come to another important point: the body which has the control is the body which, as a rule, is going to lend, and make some profit out of the transaction one way or the other, I fancy.

11,583. (*Lord Farrer.*) I do not think they make much profit, do they?—Well, I do not know; I suppose they do—a profit which, no doubt, goes to the county.

11,584. (*Chairman.*) Here again, Mr. Dewey, a solution might be arrived at; you cannot expect the London County Council to lend you money without exercising some discretion about it?—No.

11,585. But if you think that the discretion of the London County Council is arbitrarily exercised, which you assert, and you want to borrow money, you might perhaps appeal from that to the Local Government Board?—Possibly.

11,586. And then borrow for yourselves?—Quite so. I say that the authority to borrow should be a sanction on recognised principles; the control of the

borrowing should not be in the hands of a popularly-elected body, but of a board like the Local Government Board; but I may remind the Commissioners——

11,587. I am not going so far as that; I am suggesting to you that it would be quite sufficient if you had the power of appeal in case of what you considered an arbitrary refusal; and then the Local Government Board would not only have your application and your reasons for it, but also the views of the London County Council upon it?—I do not see why the London County Council should have a voice in the matter; I cannot see for a moment.

11,588. (*Mr. Smith.*) But is there not an advantage in their lending the money?—Yes, and I am quite prepared to recognise their lending the money and acting as financiers; but the body to lend the money should not have the veto to say whether we are to borrow or no.

11,589. (*Chairman.*) Borrow from them?—Quite so; there I am with you, Mr. Chairman; but if we had got their sanction, we could have gone to the Prudential Assurance and borrowed from them. Before I leave this question of sanction I would like to call your attention to another instance. This is a peculiar instance of the London County Council, which I venture to think may be in Lord Farrer's recollection. In 1889 the Vestry came to an arrangement with the freeholder for the purchase of the site and abolition of the Mewsway of Askell Mews, Blackstock Road, by which a much needed improvement would have been effected for the sum of 3,000*l.* or 3,500*l.* The London County Council were applied to to contribute one-half. They consented to do so, on condition that their total contribution should not exceed 1,000*l.*, alleging that the Vestry were paying in excess for the land. The Vestry who had negotiated this matter, and who alone knew the circumstances under which the land could be got, knew very well that they could not expect to carry it through for less, and they replied to the London County Council that this was so, but they intimated, they gave the Council this alternative: If you will carry out the work we will pay one-half, whatever it costs, or if you will only contribute 1,000*l.*, and give us consent to borrow the remainder, then we will carry it out ourselves, but the Council would not consent. Now, the remarkable feature in connexion with this, is that this very improvement, the means of carrying out the improvement at the very small cost which we proposed to carry it out at, was irretrievably lost; the land was sold, was applied to other purposes, or at least the land and building. The County Council have recently themselves become so convinced of the necessity of this very improvement that they have recently applied to the Vestry to carry out—at least to contribute to the cost of carrying out—this very improvement at a sum now estimated to amount to 7,500*l.*

11,590 (*Lord Farrer.*) The same improvement?—The same improvement. We have intimated our willingness to do so. That is an instance, as I venture to say, of the inadvisability of a body having such large matters to deal with as the London County Council being invested with minute control of such things.

11,591. (*Chairman.*) You asked them to contribute to the cost?—Yes, we did ask them to contribute.

11,592. They must have some voice, however foolish they are. They may have been exceedingly foolish, but they must have some voice?—Quite right, sir. Pray do not imagine I am implying that the London County Council should not have a voice as to whether they would contribute or not—what I say is——

11,593. (*Lord Farrer.*) They did not prevent you doing it at your own expense, did they?—I think they did.

11,594. How did they do that?—I think practically it was looked upon as a refusal of permission to borrow.

11,595. Are you quite sure of that?—I can hardly speak positively on that point.

11,596. I am totally ignorant of the matter?—I can hardly speak positively on that point. If you will reserve the point I will confirm it by a reference to my minutes and correspondence. The London County Council is empowered to raise money by the Metropolitan Board of Works Loan Act, 1869, and by its early money Acts other local bodies in the metropolis are empowered to borrow of them equally with the vestries and district boards, but the consent of the County Council is not necessary to their doing so.

11,597. In what cases?—In the School Board, the Asylums Board.

11,598. They are obliged to get the consent of the Government Department?—Quite so; that is my strong point. Again (this is not, of course, dealing strictly with the question of their sanction), the Council, if able, are not always willing to lend money to vestries and district boards on such favourable terms as the latter can get elsewhere. The Vestry recently accepted an offer of the Council to lend 9,000*l.* for electric lighting purposes at 3½ per cent., repayable in 55 years by 110 equal half-yearly instalments of principal and interest combined.

11,599. That is a long period?—Yes, for land only—it is only for the land sanctioned by the Local Government Board. On the draft mortgage being received, it was discovered that the rate of interest proposed to be charged (of course the mortgage was a formal one), the schedule of which I referred to the Vestry Accountant, Mr. Towers, for checking, was more than 3½ per cent. interest; at an interview with the Controller, it was explained that the Council really did not charge 3½ per cent. simple interest as we anticipated they were going to do, but they charged us compound interest for the second quarter in respect of the interest not paid in the first quarter. The arrangement seemed rather a peculiar one to us; we thought they were going to charge 3½ per cent. simple interest, and we put ourselves in communication with the Prudential Assurance Company, and we found that they were willing to lend us the money at 3½ per cent. over the 55 years repayable at 3½ per cent. and the capital by 55 annual instalments of principal and simple interest. The accountant calculated the difference, and we found—not a large sum you will say, but the principle is at stake—the amount received in excess by the Council would have been 178*l.* 19*s.* 7*d.*

11,600. (*Mr. Smith.*) That would have been more than swallowed up by the costs of the solicitor of the Prudential Insurance Company?—No, they offered to do it at nearly the same amount. There is the point that they were willing to do so in order to secure the loan.

11,601. (*Lord Farrer.*) That would not have come to the Council?—We would not have come to the Council, but we wanted to get the money without delay, because the Great Northern Railway Company were anxious to settle the purchase. I am strongly of opinion that, having regard to the fact that the Council now promotes Money Acts, and has large lending and borrowing powers, it should not have the control as to whether the Vestry is to borrow for a certain improvement. The County Council cannot say to us you are giving too much for your land; and, even if they could I think that should not be. We feel this very strongly in a popularly elected body. I say that the sanction of the Local Government should be required to loans for all purposes, as it is now for many.

11,602. In some cases with the Council itself it is the Treasury—in some cases the Treasury, in some cases the Education Department, I think?—I think it is for scholastic purposes.

11,603. You would prefer for all purposes the sanction to the borrowing of the money should be by a Government Department rather than by a popularly elected body?—Undoubtedly.

11,604. It comes to that?—I say the Local Government Board, because they would be the Board dealing with metropolis management matters.

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11,605. (*Chairman.*) Then it would be imperative?—It would be imperative.

11,606. You think it should be imperative on the London County Council to lend?

11,607. (*Lord Farrer.*) You did not mean that, did you?—I am not prepared to say that it should be imperative on the part of the London County Council to lend, although I think after the sanction of the Local Government Board has been obtained it should be.

11,608. (*Mr. Smith.*) Would you go so far as that?—The London County Council is protected in every way surely, if they have the sanction of the Local Government Board.

11,609. (*Lord Farrer.*) Are they not to have the management of their own finances?—Allow me, my Lord. How does the Council act with regard to the School Board for London; are they not compelled to lend them money?

11,610. No, I think not; the School Board are not compelled to go to the London County Council, nor are the County Council compelled to lend; it is a matter of mutual convenience?—That I am quite prepared for.

11,611. (*Mr. Smith.*) You will find the same thing in large cities, I think. We have an Act under which we can finance the School Board if we like—that is to say, the Corporation?—Yes.

11,612. We can do the same by the Board of Guardians if we like?—Yes. I should be quite prepared to be placed on the same footing as the School Board and other bodies—to be permitted to borrow in the open market; in fact, if necessary, to raise money by debenture stock.

11,613. (*Lord Farrer.*) It is the control over your power of borrowing—not the control over the Council's power of lending—that you object to?—No, certainly not.

11,614. (*Mr. Holt.*) Do I understand that you object to the control of the London County Council. You wish, as representing Islington, to decide upon your own improvements—what you would like to have—and then to borrow the money for it directly yourselves?—Without having to go to the London County Council to sanction the power.

11,615. Yes, to be entirely independent?—Yes, quite so.

11,616. (*Mr. Smith.*) But you do not object to have to go to them for the money?—No.

11,617. (*Lord Farrer.*) Nor do you object to some control over the borrowing and period of borrowing being exercised by some independent body?—I think it most necessary.

11,618. (*Chairman.*) It ought to be a Government Department instead of the County Council?—Quite so; I think the satisfaction would be greater.

11,619. A Government Department has a good deal of work on its hands; it is desirable to lessen it rather than increase it?—I think that applies to the London County Council, too, sir.

11,620. (*Mr. Smith.*) Then there was rather greater touch between the Metropolitan Board of Works and the Vestries and District Boards than there is at present?—I think undoubtedly so.

11,621. It was not a distinctly elected body?—No; I think the loans were arranged very much on this principle: "Well, if you support this loan, you "know, we shall support your loan."

11,622. (*Lord Farrer.*) I should like to point out to you, Mr. Dewey, that our real business is not to settle the relations between the vestries and the London County Council, but to settle the relations between the City and the London County Council; and therefore what you say is important to us in its bearing on the relations between the City and the London County Council?—But I was under the impression, my Lord, that what you now wanted, if I might say so,—that you had rather lost yourselves in connexion with the City, that the City declined to give you any evidence and you were anxious to get information elsewhere.

11,623. We are rather anxious to get opinions from the vestries as to what the central body of London should be, you know?—But surely not as to the amalgamation of the City and County Council, because I have not come prepared to give any information upon that point; I distinctly guard myself from any desire to do so.

11,624. You see the London County Council have put before us, as you have seen, a plan under which the City would become ——?—The London County Council.

11,625. The London County Council have put before the Commission a plan for the amalgamation under which the City would become a quasi-local district?—Quite so.

11,626. Supposing that plan were adopted, or anything of the kind, it would be a question for this Commission what the relation of the London County Council should be to that district, and so far we are much concerned in the relations between the central body and the district bodies; but all I wanted to guard you against is this, that it is not our business to report at length upon what the relations are to be between the London County Council and your vestry?—I was under the impression that the Commission, if I might say so,—I do not know whether I am right in saying extended its powers—but at all events for some reason they had thought it desirable to extend their inquiry into the relationship of what I would call the district councils with the London County Council.

11,627. To that extent?—I had hoped it might be with the view. I do not know what is in your mind, of legislation being promoted, possibly with the object of carrying out the unification of London, as it is termed—of course presuming you thought it desirable to recommend the unification of London in the sense that some people think it desirable to recommend it, that is to say to give a council, I will not say the London County Council, control over the whole county of London including the City; then it might be desirable, with a view to enlarging the relations of the district council of the City, that the relations of all the district councils should be enlarged. In that sense this would have some bearing upon it. It seems to me if the City is to form a district council, and Islington a district council, their powers should be almost the same. I am not saying that it is desirable.

11,628. I only want to get you to look at the question from that point of view?—Quite so.

11,629. (*Mr. Smith.*) Look at it from another point of view. Supposing you came to the conclusion that the extension of the City of London, speaking of the City of London as a governing body, were desirable, and that amalgamation was desirable, in that way now would not you have still to deal with a geographical area called the old City, and it is with the view of the local government of that that we are directing attention; your evidence becomes useful in deciding how we should deal with that?—My point is you would not probably see fit, whatever was the body, the London County Council the Common Council, or an amalgamation of the two,—that you would not see fit to give any such body a control over the borrowing powers of the district called the City, and I am urging that it is undesirable that Islington should have that control exercised over it. To go to another point. Under the Metropolis Management Act, by sections 73 to 85, certain powers of control are given to vestries as regards buildings, drainage, and other matters, and they are empowered to make orders. By section 211 of the same Act, any person who deems himself aggrieved by such order may appeal to the Metropolitan Board of Works (now the London County Council), by giving notice within seven days after receipt of the order. There is a discrepancy in the wording of the respective sections, section 76 requiring notice of the vestry's order to be served only upon the person from whom the building or drainage notice was in the first place received; while section 211

before any such appeal can be entered requires service of notice upon the occupier. That was an oversight on the part of the draughtsman; the person who gives the notice, and the occupier may be presumed to be the same person. In a recent case where the vestry had ordered a factory and several houses to be drained each direct into the main sewer instead of by a combined operation an appeal was lodged with the London County Council. Perhaps some of you may be aware that the question of combined drainage is a very serious question in London. The Vestry of Islington has called the attention of the Council to the importance of legislation in connexion with that combined drainage. As a matter of fact, everything that drains more than one house in London is a sewer under the control of, and repairable by, the Vestry, except main sewers, and unless such drain, if I may call it so, is a combined drain for the drainage of two or three houses or premises within the same curtilage which has been sanctioned by an order from the Vestry the Vestry is liable to repair it. In the time of the Commissioners of Sewers there were hundreds so laid. In the early days of the vestries of the metropolis, these old drains and sewers were laid under private land, under gardens or houses, and these are now beginning to fall in, become out of repair; the Vestry sees itself threatened with an immense cost and difficulty which certainly was never contemplated,—which they never contemplated.

11,630. (*Mr. Smith.*) You are alluding to the decision in a recent case?—Mr. Justice Wills' decision.

11,631. All the Corporations of England are looking into that matter now. I hope it will be dealt with properly?—I am very glad to hear you say so.

11,632. Of course we know the point very well?—I think from what I have heard that your practice in the country has been far better than ours in the past, by having, as a rule, a sort of public backway for the drains at the backs of the houses.

11,633. No general principle, I think?—No. Well, what I am giving you now is this: that an appeal is given by this section to the London County Council, or, as it was, to the Metropolitan Board of Works, upon the question of combined drainage. The owner of the factory to which I was referring some time afterwards gave notice of appeal. We objected that he was too late. As a matter of fact it should have been given within so many days after the service of the notice upon the person who originally sent in the plan. The owner raised the objection that no order had been served on the occupier, and as we declined to serve the occupier, he got over it by serving the occupier himself with a copy of the order, and then he appealed to the London County Council, who allowed the appeal, notwithstanding my objection on the technical point. The question was argued by Counsel and myself before a committee. I have no wish to reflect upon the constitution of that committee. I do not even know who the gentlemen were, but I gather, although I have never seen the minutes, that a decision in favour of allowing this combined drainage was carried on this committee by a majority of two. I was told when I first went down that the County Council would never sanction combined drainage, and that they were, equally with the Vestry of Islington, opposed to combined drainage. Of course the Vestry of Islington is opposed to combined drainage, and I believe the sanitary authorities of the metropolis are opposed to combined drainage, because combined drainage implies the possible stoppage of a drain over which you can get little or no control, and you do not know where it is stopped. On general principles it is objected to, and we thought we were safe with the London County Council.

11,634. (*Lord Farrer.*) That is a statutory committee?—A statutory committee.

11,635. Under one of the Metropolis Management Acts?—Oh, yes; it is continued from the Metropolis Management Acts, but that is a point upon which, I think, a body such as the London County Council is a very unfair body to deal with. I cannot help feeling, and the Vestry very strongly feels, that it is not competent to deal with such questions. On a point of law there must of course be an appeal to a properly constituted court, but on the question of fact I do not see myself that the County Council should decide whether the Vestry of Islington is right, or a Committee of the Council, in requiring direct drainage.

11,636. (*Mr. Smith.*) You would agree, would you not, that a matter of this kind is rather a practical than a legal question?—I think it is.

11,637. One does not want these cases decided by law, absolutely?—Oh, no.

11,638. (*Mr. Holt.*) Do you not think there ought to be uniformity over the whole of the metropolitan area in the matter of drainage?—Yes, as regards Islington, and, I think, to some extent you may say over the metropolitan area; but as regards Islington there would be uniformity but for this appeal, because our uniformity would be in refusing consent to any combined drainage.

11,639. (*Lord Farrer.*) Have you ever brought the point as a general question before the London County Council, or only in this particular appeal?—I think only in this particular appeal; I do not think I have.

11,640. But if it is a question which involves a general principle, would it not be desirable to bring it before the Council—I do not know whether there is power to make a byelaw on the subject—as a general question?—I would just like to state, in addition to what I have stated, that this was so remarkable for this reason, that these houses in question were not as in many cases in Islington, houses already drained by a combined operation, but they were absolutely each drained direct into the sewer in front; but the owner wanted to reconstruct his drainage, and seeing a considerable saving and economy in carrying through his backyard and out the back way, he determined to do so.

11,641. (*Mr. Smith.*) Would you mind telling me whether this was before or after the decision in that case to which you have alluded?—Before.

11,642. Then they have seen the full mischief?—The decisions were numerous. Practically, Mr. Justice Wills and Mr. Justice Wright in *Travis* v. *Utley* affirmed it. The principle had been decided by numerous cases before that.

11,643. Yes, I know it is a statutory definition?—Yes, in the Metropolis Management Acts, and I presume with you, under the Public Health Act of 1875; but there had been numerous decisions on the question under the Metropolis Management Act which had affirmed the view that such drains even under a house were sewers.

11,644. Where more than one house contributed?—Yes.

11,645. Oh, yes; that is the statutory definition?—Now I come to another point, with regard to the line of frontage. This is another case to which I call your attention. By 25 & 26 Victoria, c. 102 s. 75, powers were given to the Metropolitan Board of Works, now the London County Council, to fix the line of frontage. Now, here is a case: Recently the Hornsey School Board submitted the plan of a temporary school in Stroud Green Road in advance of the line of building. The Vestry called the Council's attention to it (I must remind you that those departures from the regulations are always detected by the local authority), and the Council refused their sanction to the plan. A further plan was submitted by the Hornsey School Board, showing the building set back to the proper line of frontage. That was approved by the Council. The Hornsey School Board then proceeded to erect the school 6 feet in advance of the line of frontage. The Vestry objected and called the Council's attention to it, with a view to its being demolished or set back; but the Council after an interview, as I am informed, between the solicitors of the respective parties, granted permission

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for the building to remain—to remain in our parish, remember, to the inconvenience of the people of Islington. We think this was a matter over which the Vestry should have had control, not the London County Council.

11,646. (*Chairman.*) It seems to have been in derogation of their own order?—Of their own order.

11,647. There must be some reason for that?—No doubt there would be.

11,648. (*Lord Farrer.*) Your point is that the control over the line of frontage should be with the Vestry, not with the London County Council; is that your point?—That is my point.

11,649. (*Chairman.*) Do you think that is a matter which could be locally decided? — Very properly administered by the Vestry. We should have no objection to your superintending architect fixing the line with some representative of the whole of London. That we have no objection to at all. Then there are powers, as probably the Commissioners are aware, granted by sections 72 and 81, by which the Vestry is authorised to carry out improvements with the consent of the London County Council, that is to widen, alter, and improve their own streets. By Michael Angelo Taylor's Act, 57 Geo. III., c. 29, secs. 80 and following sections, the persons having control of pavements in the metropolis are directly empowered to carry out such improvements, and to purchase property for the purpose; but it might be questioned whether the vestries and district boards, although having the control of the pavements, might not be held to be controlled in their powers by the provisions of the later Act. I am not sure whether, if the question was raised, the Act of Michael Angelo Taylor would not be considered to be overruled by the specific enactment of the Metropolis Management Act. That is rather a question of law. But, as a matter of fact, the Vestry does carry out small improvements without even applying for the consent of the Council unless it wants a contribution. But I maintain it is very undesirable that the London County Council should have any control and be able to refuse its sanction to a small improvement in one's own parish.

11,650. Apparently it does not?—Because they are not asked to. All I am pointing out is the legislation in the matter. Another point is the power of the London County Council to stop up streets under the Metropolis Management Act during the execution of works by the governing authority. The County Council are actually seeking to extend that power by making it not only illegal, but are seeking to penalise the vestries and district boards for non-compliance. I need hardly say we are opposing the Bill, and I think the vestries of the metropolis generally will do so. Then we come to the question under 25 & 26 Vict. (that is the Amendment Act) for the control of the re-naming and re-numbering of the streets. This is vested in the London County Council, and I think it might with advantage be placed in the hands of the vestry. I quite recognise that there must be some controlling authority to require the removal of a name which has been unduly multiplied, or to have a veto, but I venture to think that the London County Council is hardly the body for that.

11,651. Is it not done in consultation between the two bodies?—The Council always communicate with us to know what we suggest, and very frequently adopt our suggestions, so that a very considerable waste of time takes place.

11,652. There must be some communication, otherwise Islington and St. Pancras might have the same name; there might be two Gladstone streets within half a mile of one another?—Quite so; but I think that is a point to which the vestries of the metropolis largely have regard in fixing names.

11,653. How are they to find out unless there is some clearing-house where these things could be brought together?—Well, I think the Post Office would be a better one.

11,654. The Post Office has got a good deal of work. When you say that the local authority suggest the name, and it is usually adopted, what is the hardship in the County Council trying to bring it into relation with the others?—You must bear in mind, as I said before, and you must attach some importance to it, that there is a feeling perhaps of irritation likely to be caused among persons where they feel they are under the control of a body similarly elected; that is to some extent human nature, I think.

11,655. Jealousy?—Well; perhaps so.

11,656. (*Mr. Smith.*) Do not the London County Council when they are going to alter the name of a street give you notice of it?—They always communicate with us.

11,657. Then cannot you go as a deputation and represent to them the expediency of it?—I will not suggest for a moment that the London County Council are in any way discourteous, or that they do not show every consideration; that is not my point. My point is that I see no reason why they should have the control.

11,658. You admit there must be some control somewhere?—Yes.

11,659. Then it lies between the County Council and the Postmaster-General?—There must be a control somewhere, a vetoing control to veto a name, or to veto the multiplying of it.

11,660. There must be some authority, which after all brings the names of different parts of London into order, so that there may be no confusion?—Quite so. Then with regard to the Metropolis Building Acts, I do not know that I need go into them, because I have dealt with them previously. I confess I do not feel so strong upon that, but I think a great proportion of the provisions might be administered with advantage by the Vestry. I pass to the Local Government Act of 1888, by which the London County Council was constituted.

11,661. Now you propose to enter upon the question of the London County Council not having constituted main roads?—Yes, very slightly, sir, just to point out that by section 11 of the Act the County Council of the metropolis and the county councils of the country generally were empowered, I think I may say, were directed to maintain main roads. Large ideas sprang up in the minds of the vestries and district boards of the metropolis that they were going to be relieved, in fact that they were to be relieved of a very considerable expenditure. I venture to say that the London County Council has allowed that power, I think one of the two powers which were given them by that Act, to remain a dead letter. The Vestry in Islington had the foresight to refrain from electing to maintain one small piece of main road in the parish, the Archway Road, because they saw difficulties ahead in connexion with the improvement and widening and reconstruction of the archway. This road I may say is partly in Hornsey, in Middlesex, and partly in Islington, in London, and it is crossed by an archway which was constructed by the original commissioners. It consequently fell upon the London County Council to maintain the road under the Act in question at their own expense. They exercised their powers by requiring us to maintain it, as they could do, by delegating their powers to us. We consented to do so on the direct, or at all events implied, understanding that they would pay the expense; it was their responsibility, their liability; we maintained it for about two years and they paid the whole expense. Now the London County Council seek to go back to an arrangement which the Government carried out itself, without any compulsion to pay one-half, to contribute one-half the cost, which was what we had before any statutory liability or power was cast upon the London County Council at all. As a matter of fact the County Council has allowed the section to remain a dead letter with respect to existing main roads, and as to the power which was created by that Act, or rather was incorporated by that Act from the

previous Highway Act, of declaring main roads, the County Council have declined altogether to do so, financially I daresay wisely; but I venture to say, if that is the case, the County Council might as well have been given no control over main roads whatever.

11,662. (*Mr. Smith.*) Do you know that main roads are rather an anachronism in cities; they are much more applicable to country districts. We have not one main road in Birmingham, although the great Holyhead main road ran through Birmingham. In the country districts the roads are all main roads?—I venture to say they should be maintained by the locality, and for that reason I think it is useless to invest the County Council with powers which are undesirable on the one hand, and which are not carried out on the other.

11,663. That goes to the mischief of treating London as a county, upon which I have previously remarked?—Then with regard to the Public Health (London) Act, the Public Health (London) Act is one that created a very great deal of feeling at the time it was passed among the vestries and local authorities of the metropolis. By that Act various powers (it was thought there would be nothing but centralisation) were vested in the London County Council, and many of them are retained now. But what is the use of giving the County Council power, for instance, to deal with water-closets and not to deal with drainage; to deal with the removal of certain nuisances and not with the removal of others? Why cannot the Vestry of Islington deal with water-closets in its own district? Of course I am dealing with the question in view of what may possibly be in the mind of the members with regard to the extension of the powers of the districts.

11,664. (*Lord Farrer.*) Was this considered when the Act was before Parliament?—Oh, yes; we made strong recommendations; in fact there was a very strong feeling indeed on the part of the vestries. I attended before Mr. Ritchie at the time, as did many others, and they abated many of the powers and reduced others. Now, I want to show how it has really worked, and I admit a great deal has been done. The County Council prepared a series of byelaws, and they consulted the vestries of the Metropolis, as they were bound to do under the Act, before they submitted those byelaws to the Local Government Board for sanction. We made various suggestions to them with reference to these byelaws. One of the appendices, one of the exhibits which I submit to you, contains the regulations of this vestry with regard to drains and sanitary arrangements which had been made under another Act with regard to byelaws. Under the Metropolis Management Act there were general regulations which they enforced whenever they had to make an order. You will find that in that set of regulations there is a provision as to the material and the construction of soil pipes, and they deal with soil pipes not only inside but outside the house. Very recently we were proposing to proceed against a man who had constructed a soil pipe—I forget now what it was—of very flimsy material outside his house. As we had done before, I was about to proceed under our own regulations, when it occurred to me that our regulations were repealed by the County Council byelaws, and on looking into the County Council byelaws I find a most remarkable thing—I do not know whether Lord Farrer has had the matter brought under his attention—there was not the slightest provision in the byelaws as to the mode in which the soil-pipe should be constructed, except inside the house.

11,665. (*Lord Farrer.*) I am entirely innocent?—But surely that is a remarkable oversight, showing, if I may say so, that the London County Council is not the best body to make byelaws for the construction and regulation of water-closets and soil-pipes in Islington.

11,666. (*Mr. Smith.*) It comes to this, you do not want a divided authority on soil-pipes?—No; and many similar matters.

11,667. You know that is typical English legislation?—Then with regard to the control of slaughter-houses and cow-houses, I cannot see for one moment why the vestry's inspectors who are going into these places with regard to some nuisance should not have the entire control, again subject of course to byelaws, such byelaws as they now administer under the Public Health Act. These are generally the points to which I have called your attention, not from any hostility, I trust the members will feel, to the London County Council, but because I conceive that if local government is going to be retained in London in the sense in which we understand it now and in the sense in which I venture to think the members of the Commission wish it to be considered,—that is as fairly large areas administered as a unit,—it must be encouraged in as much self-respect as possible, in as much responsibility as possible, and as far as it can possibly obtain with safety to the whole government of London, it must be free from irritating control; and especially control (I repeat what I said before) on the part of a body elected from a similar class and by a similar electorate.

11,668. (*Lord Farrer.*) I should like to ask you a question you have not touched upon; the Cattle Market in Islington is in your parish, is it not?—Yes, that is in our parish.

11,669. That is, as you know, under the management of the City Corporation?—Yes.

11,670. Do you think that ought to be under the management of the City Corporation or under a new amalgamated body or under the Islington Vestry?—Well, I should hardly like to express an opinion upon such a point as that. I am not prepared to say that the Islington Vestry, at all events without very much extended powers, could deal with such a matter as that which will of course imply relationships at Deptford and elsewhere in connexion with the landing of cattle. No, I should be inclined to think that, supposing a council were created for the control of London, the markets would be one of the proper duties and responsibilities with which that council should be invested.

11,671. That is the point I wanted to get at?—That is what I think. My main point, sir, is, if I may summarise it, that the District Councils of the metropolis should be freed from all control that is not absolutely necessary in the interests of the county, should have a direct administration of Baths and Wash-houses, Free Libraries, and such Acts as those, and that they should retain such areas as Islington free from cutting up or from undue interference. I will not say on the part of the London County Council, but from any similarly elected body. That is where I think the great secret of London government will be found.

11,672. Of course you speak for Islington?—For Islington.

11,673. You do not say anything about other districts?—No, I only profess to represent Islington. I understand the feeling is as strong in many other districts. Of course one of the great difficulties the Commission will feel if they take evidence will be, I have not a doubt, the question of area. If they are going into the question of District Councils or propose in any way to reduce areas, they will have a difficulty, because every vestry clerk, I have no doubt, will take a pride in his own parish and in that alone.

11,674. Small or large?—Oh, yes, that I feel.

11,675. (*Mr. Smith.*) Those of us who have had experience of borough extension are not likely to forget that?—No.

I may perhaps summarise the views of my Vestry by saying that while, on the one hand, they are of opinion that it is an advantage to have in the metropolis fairly large or important areas as the units of local government as tending to economy and the avoidance of jobbery or mismanagement, they are, on the other, equally convinced of the importance of avoiding centralisation, which they think tends to officialism and irresponsibility on the part of the

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members of the central body, and undoubtedly to lessen the interest which men of capacity and independence would otherwise take in the administration of the affairs of their own immediate locality.

My Vestry recognise the necessity for the existence of such a body as the London County Council for main drainage and county purposes and for numerous purposes of arbitration; and in connexion with the latter, I would instance their importance as a controlling body in connexion with the just administration of the Valuation (Metropolis) Act; but they are at the same time of opinion that as regards financial control, improvements, control of streets, drainage and buildings, the dealing with nuisances, and various other matters I have enumerated, the 120 elected representatives of Islington in a Vestry or District Council, are more capable of dealing with them than the 140 elected representatives of the County of London. The Vestry think also that the civil duties of churchwardens and overseers and the direct administration of the Burial Acts, the Baths and Washhouses Acts, and the Free Libraries Acts, might with advantage be transferred to the local authority, by whatever name it be called; and further that the local authority should have increased powers in regard to the promotion of Bills affecting the locality, and for the purchase of land for public buildings or public improvements.

Finally, the Vestry and all connected with the parish trust it will be left intact and that the powers of its local authority will be increased rather than diminished.

The witness withdrew.

Mr. H. J. Smith.

Mr. HENRY JOHN SMITH, Clerk and Solicitor to the Vestry of Lambeth, called in and examined.

11,676. (*Chairman.*) Tell us, Mr. Smith, what position you occupy?—I am clerk and solicitor to the Vestry of Lambeth, and as such I am clerk also to the Assessment Committee of the parish. I am also clerk to the Lambeth Public Libraries Commissioners, and the Lambeth Public Baths Commissioners, and I am also a member of a firm of solicitors in the City.

11,677. How long have you occupied that position?—I have been for 14 years clerk and solicitor to the Vestry, and for six years previously I was a member of the Vestry, so that my experience of Lambeth Vestry matters extends over 20 years.

11,678. Have you any view as to the relations between the Vestry and these two bodies of Commissioners. Do you think that they should be absorbed by the Vestry?—I think these two bodies might very well be absorbed by the Vestry or the local authority, whatever it may be in the future. The members of these two bodies are both elected by the Vestry, and therefore, in one sense, they are a sort of committee of the Vestry; of course, they have both independent functions and act under independent Acts, but they are purely appointed by the Vestry.

11,679. They might be appointed from outside the Vestry?—They may be, some of our men are.

11,680. Do you think that is a valuable power to retain?—It has been a most valuable power so far as the libraries are concerned. We have got a class of men in as Commissioners who are of higher position altogether, and they bring outside assistance, without which, I am afraid, we should not have got on nearly so well as we have done. Two of these Commissioners are Members of Parliament; one of them succeeded in enlisting the sympathy of Mr. Henry Tate, who is a gentleman whose name is very well known, and he has entirely contributed at his own expense the centre library and one of the branch libraries—the centre library at Brixton.

11,681. If the library were managed by a committee appointed by the Vestry, they might appoint on that committee outsiders, persons of literary tastes?—Well, we might, sir, but so far as the library is concerned, the institution of the libraries is really finished. For the future the management of the libraries will merely be their maintenance and seeing that a fair amount of books and so forth is kept up, but the organisation and commencement of the movement was done by these outsiders with two or three members of the Vestry. The Rector of the parish was one of the Commissioners and was made Chairman. Another of the Commissioners gave us through his sister-in-law 10,000 guineas to form a library in one of the branches, and a gentleman, whom, I think, Mr. Smith knows, Mr. Nettlefold, gave us the site of another library, and Mr. Noble, who was a large varnish manufacturer in North Lambeth, and his partners together gave us 5,000*l.*, and we have been very fortunate in enlisting sympathy outside the Vestry in the foundation and formation of libraries, but now it will really be routine work for the future.

11,682. (*Mr. Smith.*) You would not object to have power, would you, to elect gentlemen who might not care to give service for other municipal work or work of that character, but who have literary attainments?—Oh, certainly not.

11,682*a*. That we find very desirable?—Yes.

11,683. (*Chairman.*) Your parish is very extensive?—I see the census gives it as 3,941 acres. We have always considered it to be 4,215, but it is a curiously shaped parish.

11,684. It runs down to Dulwich?—Most singular shape. It runs from the river to the Crystal Palace.

11,685. (*Lord Farrer.*) Do you find inconvenience from the shape of it?—It is a great length. Here is the river (*pointing on map*) with the several bridges of Waterloo, Charing Cross, Westminster, Vauxhall, Lambeth, and the Crystal Place is just about here (*indicating*).

11,686. What is the distance?—Six and half miles, I think.

11,687. (*Mr. Smith.*) It does not appear to be more than a mile in width?—The part here is very narrow, of course.

11,688. An average width of about half a mile?—Here it is much more.

11,689. The average, I say?—I should say so; here we have a little piece of Streatham, which is intermixed with Lambeth and surrounded by Lambeth and Camberwell. It is more like a child's puzzle.

11,690. (*Chairman.*) It has a river frontage running back to the hill?—Yes, we have our highlands as well as our lowlands in Lambeth. Well, sir, I do not know whether you care to know the figures as to population, assessment, and so forth.

11,691. You are very much like what we have heard from Islington?—We have 275,000 inhabitants.

11,692. And 120 members of your Vestry?—120 members. It is a Parliamentary Borough in itself, formed into four divisions with four members therefore, to the County Council there are two members sent from each division—eight in all.

11,693. You have 137 miles of road?—137 miles of road and of course double that number of miles of footpath, and although these roads have been taken over by the parish there are some bye ways, alleys, courts, and so forth which we have not yet got. We have 274 miles of footway, 200 of them are actually paved with hard pavement, flag, victoria stone, or asphalte, the rest is tar path. We have no gravel footpath, and we have about seven miles of wood pavement all laid down within the last 10 years.

11,694. You have a considerable number of men at work?—We have 360 men on an average employed in cleansing and maintaining the streets, collecting dust, and so forth, and 60 men employed in sewer work, and this is in addition to some of the slopping and

dusting work which is done by contractors; but on that subject I may say that the whole of the work of the parish paving and so forth, and the making of sewers, is all done by the Vestry's own men directly employed.

11,695. (*Lord Farrer.*) By their own men?—By their own men. The roads have been done now for many years, the sewers have been taken during the last few years, the roads were taken over some 15 years ago.

11,696. (*Chairman.*) Your Vestry is elected in thirds every year?—In thirds every year under the Metropolis Management Act.

11,697. There is no alteration under the recent Act in that respect?—The recent Act continued it, except, of course, that the whole of the present men will retire in November.

11,698. You have steam-rollers?—We have two steam-rollers, both of which are constantly employed.

11,699. I suppose you have street-brushing machines?—Yes; we have machine brushes as they call them.

11,700. Has any question been raised about the use of them in your Vestry?—There is a general opinion that they are very useful, especially for the wooden pavement, which, now we have got seven miles of it, has become an important item, and we are proposing to extend the wooden pavement considerably again.

11,701. You are perhaps aware that one or two vestries have abolished the use of machines?—We have not reached that yet. We have still two; the surveyor thinks highly of them. We have one wharf just here; we are about taking another from the Duchy of Cornwall at this part (*indicating*).

11,702. (*Mr. Smith.*) This is all river frontage, I think?—Our river front ends there.

11,703. You end at Vauxhall Bridge?—Just below Vauxhall Bridge.

11,704. You have five bridges?—We do not go quite so far as Blackfriars Bridge, but very nearly.

11,705. (*Chairman.*) You have considerable property in the parish, have you not?—There is some property in the parish, not a great deal—do you mean charitable property?

11,706. What about the Pedlar's Acre?—The Pedlar's Acre is close to the river, in fact, the Vestry wharf is part of the Pedlar's acre. Then there is a charity called the Walcot, and another called the Hales.

11,707. Is the Pedlar's Acre affected with special trusts?—Under the Pedlars' Act, which was passed in the early part of the century, it is to be devoted to such a rate as the Vestry may from time to time decide. Of late years it has always been given in aid of the general rate, what we call the general purposes of the parish.

11,708. What income does it produce?—About 1,000*l.* a year.

11,709. Not more. But some part of it is occupied by parish buildings?—By the wharf, yes, but that income is calculated. The ordinary rent is paid, and it goes into the account and comes back again. When I say 1,000*l.* a year I include that wharf.

11,710. The valuation of that wharf?—Yes.

11,711. You heard Mr. Dewey's evidence?—I heard the latter part of it.

11,712. The general question as to the relation between the central representative body and the local representative body, did you hear that?—I think I must have heard that. I fancy that was being discussed when I came in. I came in about 12 o'clock; I do not know how long his evidence had been going on. With reference to that, there is no doubt that there is not the touch now that there was between the members of the Vestry and the County Council members.

11,713. And the Metropolitan Board of Works you mean?—The same as there was between the Vestry and the Metropolitan Board of Works.

11,714. You say there is not the same touch as there was?—As there used to be.

11,715. What period are you referring to in the past?—I am referring to the period when the Metropolitan Board of Works was in office, and when the members were elected by the Vestry.

11,716. What you would say is that there is not the same touch now that there was then?—There is not the same touch now that there was then, rightly or wrongly. I may say, as I am in the presence of Lord Farrer, that there is a feeling that the County Council consider themselves a superior body, perhaps mainly because they are elected from a wider franchise than vestrymen are now. But of course that in future will be done away with, because the franchise will be rather wider for the vestries than it will be for the County Council members. Then it is felt that the members of the County Council consider that as they represent the whole of London they need not regard the local men who compose the vestries. I do not say it is so, but there is just that feeling. Well, then, that begets, of course, on the other side the contrary, and therefore there is just a little friction of that sort. Before it may have been thought possible that it was too much the other way; that the members of the Metropolitan Board were elected directly by the members of the Vestry and that, therefore, they were responsible to them and subject to them, and they always felt that; but there is an absence of communication now, an absence of touch which, I think, often impedes the business, the satisfactory business of London.

11,717. What suggestion would you make?—We happen to have one member of the Vestry who is a member of the Council, but he is not a very regular attendant, and although a resolution was passed inviting all the other seven gentlemen to be present at the meeting they do not avail themselves of that.

11,718. Inviting the seven members of the Council?—Yes; they do not avail themselves of it. Therefore, if anything arose there is nobody to answer the question.

11,719. (*Lord Farrer.*) Do you mean that you invited them to attend all the meetings of the Vestry?—To attend all meetings of the Vestry.

11,720. A general invitation?—A general invitation to come in whenever they pleased.

14,721. And they have not availed themselves of it?—They have not availed themselves of it, and the result is that questions come up—the Council has done something or has not done something; it is not explained; very likely it might be, and at the time the whole of the friction might be got rid of. It is supposed they are not attending to it, or perhaps something is done which, if properly explained, would be really all got rid of at once.

11,722. (*Chairman.*) Have you any suggestion to make as to bringing these two bodies into better touch?—Well, sir, the only thing that occurs to me is that every member of the Council in a particular district should be *ex officio* a member of the district body.

11,723. (*Lord Farrer.*) A member of the Vestry?—A member of the Vestry.

11,724. (*Chairman.*) Extend your invitation into a right?—Into a right. It is one thing to be asked to attend when you cannot vote or really take a serious part in it; it is another thing if you feel you have a right to go and express your opinion, and help the decision with your vote on any questions which may arise from time to time.

11,725. Would they come under these circumstances?—I think many of them would, at all events.

11,726. The work is not too much to undertake—both?—Certainly. I make my previous answer subject to that, because, as far as I understand, the work of the Council is already very onerous indeed. In fact, as I have put in my proof later on, I have heard from many members of the Council that they have very great difficulty in attending to their duties as Councillors in Spring Gardens, with due regard to their business avocations (those who have business in the City and other places). I have heard

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that some of the gentlemen who gave up at the last election—I mean the last County Council election—gave up because they could not give the time; and I certainly think if any further work is thrown upon the Council it will end in this, that busy business men will not go on the Council at all, or if they do go on they will soon leave it, or give it very indifferent attention, because it takes up so much of the time of the members to do their work there.

11,727. That makes a serious difficulty in asking them to undertake also the functions of vestrymen?—No doubt it is difficult, but questions will come up from time to time, the discussions on which these councillors might very well wish to attend, and particularly questions relating to the central body, which may come up for discussion and consideration.

11,728. There would be no jealousy on the part of the other vestrymen as to their coming?—Not at all, sir. I think that is shown best from the fact that they have actually invited them when there was no obligation to do so.

11,729. They could come now without any power?—I think they would be very glad to see them, because they would be able to explain from time to time what was going on and questions bearing on their policy, and give, I think, great assistance, and prevent, as I have said before, friction growing up even about nothing at all.

11,730. (*Lord Farrer.*) Has it ever occurred to you whether the same thing could not be answered in another way by allowing some members of the Vestry to be members of the Council?—Well, I heard that subject partially mentioned. Perhaps it would be easier for me to take it up from where I heard Mr. Dewey mention it. He stated that it had been suggested that at the election the first given number of gentlemen at the one poll should go the Council and the others should go the vestry. I do not think that would be a convenient thing, because a man would know beforehand what he wanted to be. His ambition would be either to be a central councillor or a local councillor. He would know what time would have to be given to the central as against the local body, because I should think the central would be much more, and he would be prepared to do it or he would not be prepared to do it; and to elect him to a body which he did not seek to be elected for, I do not think he would look upon either as a compliment or a convenience. I think a much better system would be that the men should go in for the County Council post and should be elected to it—those who are the favourites of the constituency,—and those who go in for the local body would be elected to the local body.

11,731. (*Chairman.*) There is nothing to prevent a man standing on both lists?—Nothing at all, sir.

11,732. In fact you have one?—We have one; we had two before, we have only one now.

11,733. (*Lord Farrer.*) Who is it now?—Mr. Stockbridge.

11,734. (*Chairman.*) Do you find the spirit of jealousy of the County Council which Mr. Dewey hinted at as prevailing in Islington?—I do not think there is any jealousy in the particular matters which I heard Mr. Dewey refer to; for instance, the question of loans has never been a burning question with us; we have always been able to get loans when we wanted them. I do not remember any loans having ever been refused by the Council; therefore that question in Lambeth has never arisen. With reference to appeals to the County Council, they have been so very few in number since I have been the Vestry Clerk—that is since 1880—I do not think we have had more than three, and they were on questions of principle that there was no feeling at all about. As to the main roads, I may just touch upon what I heard Mr. Dewey say as to the main roads. The thing has been practically a dead letter, and I suppose it will be practically a dead letter, and as a dead letter it seems to me it is just the same practically all over London. If each district keeps its own roads it is the same thing as if the central district did all and divided the cost and made it come out of the general rate. I cannot say I have been sorry it was a dead letter, because it struck me that there would be a great deal of jealousy as to which were and which were not main roads.

11,735. (*Lord Farrer.*) They are all main roads in London.

11,736. (*Chairman.*) You entertain a strong opinion, which we shall not dispute, as to the impossibility of one body doing all the work of London?—I think that is perfectly impossible. I think if one body attempted to do all the multifarious duties which the local bodies have to perform, it would break down from the mass of details.

11,737–8. Have you any feeling as to exalting the status of the local body?—Well, sir, I am very much afraid we cannot give the importance to Aldermen which I know from my own experience in a country town they had there. The only thing is, if you have a certain number of Aldermen—call them what you like—you might make them justices of the peace during their time of office. In Lambeth, I know we have suffered from a great scarcity of justices of the peace, who could do such work as a justice of the peace does in London.

11,739. (*Lord Farrer.*) What sort of work?—In Lambeth, the justices hear all the summonses for rates, of course the ordinary business is all heard before the stipendiary magistrates, and I do not think anybody really seriously suggests that all that sort of work should go back to the justices. And I think the addition of J.P. to his name might be considered an honour by many of the gentlemen who would have that post, but I do not know what other honour you could give them. The recent Act as, of course you know, has given the distinction of J.P. to the chairman of the local bodies. He is in future to be an *ex officio* justice of the peace, and I think in future it might be extended to a certain number—a limited number—of the local body too.

11,740. (*Mr. Smith.*) Would it be worth while creating two orders in the local body?—Well, I think it is a question.

11,741. I should doubt it myself.

11,742. (*Chairman.*) It has been suggested that your Chairman might be called a mayor, the personage representing your area?—Well, I think whether he is called mayor or whether he is called Chairman of a District Council it will be very much the same thing. In a country town—when I say country town, I do not mean a small country town, but any town in the country—Mr. Mayor is an important person, and the office is looked upon as an important social position; but we should have a good many in London, and I do not think the word Mayor would have the same designation in London as it would have in the country. In the country they always know a mayor; in London we know nothing of mayors except the Lord Mayor, and you would have to create the thing.

11,743. If there was a Mayor of Lambeth would the people of London generally know that so-and-so was Mayor of Lambeth, and would that knowledge be an inducement to people in Lambeth to seek the position?—I think if there was an elected chairman for the year for the Lambeth District Council as we will call it——

11,744. Which will be the case in future, will it not?—I do not think the name of vestry in future will be a good one, because it is applied to such different things, in some cases to parishes 6 or 7 miles long, and to parishes in small country towns where the vestry meets once a year. In every district parish you have what is called a vestry, and I think, seeing that the work for the future really will have little or nothing to do with the old vestry position, that it should be called a council or board, or by some such name. It used to be Board; now the fashion is to call it Council; but some name of that sort as distinct from the old vestry name. I think the

Chairman of the Lambeth District Council, justice of the peace, would be pretty well the same as a mayor, but that is a matter of sentiment.

11,745. (*Mr. Smith.*) There would be according to our English notions a little irregularity in having a mayor without a corporation, would there not?—These would be no doubt, a Mayor implies Mayor, Aldermen, and Corporation, and so on.

11,746. Mayor, Aldermen, and Citizens, or Mayor, Aldermen, and Burgesses?—Yes.

11,747. (*Chairman.*) Have you anything to say with regard to the partition of work between the County Council and the district councils?—Well, sir, I think that the district council should have the control of everything which solely relates to their district. A central body, call it what you please, should have the control of anything which runs over the whole of London, or overlaps two or more parishes; but anything which solely relates to the concerns of the particular district should, I submit, be managed and controlled by the representatives of that district alone.

11,748. Well, it all turns upon solely. Are there any cases now of functions which do solely relate to a district which have got into the hands of the County Council which you would like to take away from them?—Well, sir, there are certain duties which I venture to think might be very well transferred. I think all building applications, and all matters under the Building Acts, should be transferred to the local body with, at the same time, the district surveyor. At present builders have to apply to both bodies, to the Central Council, the County Council, and to the district surveyor as to the structure, to the local vestry for drainage. That is a loss of time; it is an expense to the builders, and, I think, generally objectionable and unnecessary.

11,749. (*Lord Farrer.*) Should there not be some control in the form of general regulations or byelaws to keep the practice uniform throughout London?—Yes, my Lord. I think that the byelaws for all the purposes affecting particular districts should be framed by the district authorities, street traffic for instance, and everything connected with that.

11,750. No; but I am speaking of the Building Acts which you were referring to just now?—I beg your pardon; that refers to building solely. In the case of buildings, I think the byelaws should be made by some central authority, which the local authorities can then work upon, so as not to have different byelaws in Lambeth, Islington, Chelsea, or anywhere else. Well now, sir, upon the subject of byelaws, I heard an elaborate series of questions put to Mr. Dewey, and I must say I do not agree with Mr. Dewey, because I think the byelaws may be very properly made by the central council. I cannot see why the Local Government Board should be applied to to do that for London which the general representatives of London can, I think, do equally well, because we know that the Local Government Board means referring it to some official to do; and I think that the experience of the central councillors must have given them knowledge sufficient to say what are or what are not expedient byelaws in regard to different subjects, buildings, sewers, and so forth.

11,751. (*Chairman.*) Having the experience of London brought into one focus?—That is so, sir. Then, passing to another subject, I think the question of new roads should be left to district councillors. If a street is to be cut, if some old house is to be pulled down, and a new street made 50 yards long, it has to go to the London County Council for their approval; that, I think, is very unnecessary, and I think the local authority should be able to dispose of that without its going to Spring Gardens.

11,752. (*Lord Farrer.*) And they will pay for it?—It is not a question of paying.

11,753. It is a local improvement?—No, not an improvement. A builder wants to make a new street, he has laid out a street, but he has to go to the County Council to get their approval of it. I think if it had the approval of a local council, it would be quite sufficient. Of course a long street running over two or three parishes is another thing, but a street which is solely confined within the area of a local district should, I submit, be decided upon as to its expediency, width, or anything else by the local authority.

11,754. (*Chairman.*) There may be a cross street in Lambeth of small extent very desirable to be considered in relation to the adjacent area?—Well, sir, I think you can fairly leave the authority to consider what is the fair width of a street which may in the future perhaps be extended. I do not see why the representatives of Lambeth that live close to the area should not be able to decide what would be a reasonable thing.

11,755. Is this reference found to be cumbrous and dilatory?—The practical experiences is this: the builder has to send an application to Spring Gardens that is kept a certain time, how long I do not know; then copies of the plans are sent to the local authority for their opinion; that goes before a committee of the local authority; it takes time; they report to their vestry, and then the decision of the vestry goes back to the Council. Occasionally the Council has decided the matter before the vestry's decision was arrived at; perhaps it arrives after the meeting is over, so that that is wholly unnecessary. I think representatives of the local board are to be trusted, and they ought te be able to do that, particularly now you have the wider franchise, because, before that, it may have been said "these men are only elected by a few ratepayers," but now they are elected by a wider franchise than the Council itself. Then, sir, with regard to renumbering streets; if we want streets renumbered, we have to send to the County Council, and application has to be made there. It seems to be wholly unnecessary; we ought to be able to decide for ourselves. When we have several terraces and places, we ought to be able to abolish the duplicate names and be able to put new names to the streets and numbers to the houses without troubling the County Council, and encumbering their minutes with long details, which are really not important.

11,756. Renumbering is not associated with renaming?—No; streets are continually renumbered and not renamed. There is a street known as such-and-such a street, and then builders put up their own little villas, six to one little plot, three to another, and so on, separate houses with separate names. I suggest that the local authority could deal with that. With reference to renaming streets, I am speaking with the advantage of having heard what Mr. Dewey said, and therefore I want to shorten the matter. I heard what he said, and I think generally the names might be left to the local council. We certainly have some very funny names come down from the London County Council, and they are very much criticised when they do come.

11,757. Do they originate with the County Council?—Yes; I believe they have a book in which the names are written down in the chance that they might be used hereafter; some most curious names.

11,757*a*. (*Lord Farrer.*) I forget whether it is in Lambeth that they have the names of all the musicians?—We have a lot of poets in one place, Spenser, Shakespeare, Milton, Chaucer,—a number of these all put in a group.

11,758. (*Mr. Smith.*) You do not object to that selection. It seems to me to be a very good one?—I do not think we have a musical place at all. A "Poets' corner" we have; but these are all new streets made within the last 25 years.

11,759. (*Chairman.*) You do not recognise any convenience in the control of the naming of streets so as to prevent having two "Poets' corners" in adjacent districts?—Well, sir, I think the local authority may be left to deal with that. We all feel the objection to two or three James's Streets or anything of that sort. Our letters do not arrive properly. I

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think we feel it as much any County Councillors might be expected to feel it.

11,760. But who has to give way?—Well, sir, of course if you send anywhere it must come to the County Council.

11,761. (*Mr. Smith.*) Would it not be sufficient if you had the power of naming, subject to their veto?—Yes.

11,762. It is quite clear that with 40 vestries and district boards in London, several of them might want all the aristocratic names?—No doubt.

11,763. You must have some central body for reference, I think?—I do not think that applies to re-numbering.

11,764. No; I do not think it does so much. It is in re-naming that there is a difficulty?—Yes; naming or re-naming. Then with regard to the closing of the streets, the County Council has power under the Metropolis Management Act. There is a clause which gives it; their consent being necessary. Now they are trying to drive that home, as Mr. Dewey told you, by wanting to penalise the vestries. We rather consider we can do it under Michael Angelo Taylor's Act without going to the County Council at all. Of course if a main trunk line which runs over three or four parishes is to be closed, the central authority ought to have a voice in the matter. But if we want to repair a street here to have to go to the London County Council is unnecessary.

11,765. To close you say?—To close for repair. It is absurd if you want to repair to have to go to the County Council.

11,766. You mean to temporarily close it?—To temporarily close it. I do not mean to close permanently. I only refer to temporary closing.

11,767. For permanent closing you would have to go to the County Council as representing the county authority?—That is another thing. I did not mean permanent closing. Then there is the licensing of slaughter houses, cow houses, dairies, and so forth. At present the vestry inspector visits and inspects them and the County Council licenses them. I cannot see why the local authority cannot license these houses within their own area. It does not affect the other parts of London, and I do not think the other parts of London should have any voice at all in the matter.

11,768. (*Lord Farrer.*) That is a thing which is done, I think, in the City by the City Authorities?—They do it, my Lord. Yes.

11,769. (*Mr. Smith.*) Have you noticed petroleum and all that sort of thing. What do you say about that?—I think everything solely in our own area might be very well managed by ourselves.

11,770. I do not know whether you have noticed the Bill of 1894—the Local Government Act of 1894. That seems to give powers to district councils to deal with a number of matters that formerly went to the central body in counties. I think it is commonly called the Parish Councils Bill?—I do not think those clauses extend to London.

11,771. They do not. I only say that powers are there given to District Councils which formerly were given to County Councils?—I think that anything which solely relates to one area should be governed by the area itself, unless it is something which overlaps into the next, and then no doubt the central authority must be appealed to. Well, now, sir, I have heard it whispered that the idea was that there should be one central municipality to do everything.

11,772. (*Chairman.*) You mean Sir William Harcourt's Bill revived?—That would be Sir William Harcourt's Bill revived. Sir William Harcourt's Bill as you know was brought in ten years ago. That proposed to transfer everything to the central authority.

11,773. (*Lord Farrer.*) With power to delegate?—With power to delegate certain things back to smaller bodies with very similar powers over them. Well, sir, I think that was received with universal dislike by London, and it was withdrawn, and I think the same course would be adopted supposing it came again, because I think if you have local bodies at all you should give them as much proper power as is possible and make them as independent as possible, and then you enlist good men to do that work. If you expect men to work cramped and confined by the arbitrary powers of the Council over them, you will not get the same class of men to do it, nor will you get the same interest in the district, as they will not take an interest in it when a superior power overrules them. If you have central power without local authorities at all, I think the central power must break down from the mass of details which they will have to undertake. In fact, I think, a speech by one of the present Government with reference to the House of Commons really would apply to the central body if it was so constituted in London. This is what Mr. Asquith said very recently within the last fortnight: "The "central body—choked, paralysed, killed for all "practical and effective purposes as it is at present by "a congested burden of work which it is incompetent "to perform—will be set free through the devolution "to local bodies of purely local matters for the more "efficient performance of those affairs which concern "the whole and not one of its parts."

11,774. (*Mr. Smith.*) That is the House of Commons he is speaking of?—Yes, but I think that will accurately pourtray what the central council would be if it had everything to do. "Centralisation which "consists in bringing up to one centre in London"—that is equally applicable I submit to bringing all parts of London to one centre in Spring Gardens—"and casting there upon the shoulders of an over-"burdened Parliament the duty of legislating and of "supervising the administration of all the different "parts of this great and complex Empire"—I think we may call London equally great and complex in a sense—"centralisation is the surest possible means of "threatening the unity and the integrity of the "Empire. Decentralise as much as you can. Give "to local bodies the transaction of local affairs, re-"taining at the centre an effective and an omnipo-"tent supervising control."

11,775. Then your argument is that what is good enough for the nation is not good enough for London?—My argument is——

11,776. I do not think you need combat it, because I do not think anybody seriously proposes such a municipality as you propose?—I am very glad to hear it, because the general idea was that there was a very strong feeling for it.

11,777. (*Chairman.*) What I gather from your evidence is that you think the present arrangement of work between the central body and the local body is satisfactory, though in matters of detail there are things which might be altered?—I think there are some cardinal points in which the duties of the local body might be increased.

11,778. (*Mr. Smith.*) That rather leads to another question. Is there anything in your opinion that you now do locally which might with greater advantage be done centrally?—Well, I really do not know what there is which can be transferred to the central body, because I think when our local bodies were established they did all of that, and I think they erred on the other side, because in 1855 the big vestries were to be a new thing, district boards were to be a new concern altogether, and I think they hardly knew how they would work. They had in London about 60 vestries, I think, or something of that sort.

11,779. It comes, does it not, from Parliament creating new functions and putting them rather without sufficient consideration on the central body rather than on the local?—I think that is so.

11,780. (*Lord Farrer.*) Have you looked at all these things which the City now does for itself, which in other parts of London are done by the County Council?—Well, with reference to these buildings, if I remember right, the City do that for themselves. I think they have the control of the buildings.

11,781. (*Mr. Smith.*) The Commissioners have?—Yes.

11,782. (*Lord Farrer.*) Petroleum licenses and various things there are?—Yes.

11,783. (*Chairman.*) Sky signs?—That is not a very large question, although they are very large many of them. I should put sky signs, certainly, under the control of the district. I cannot see why the Central Authority should be called on to do a small matter like that. It seems to me to be wasting its time which might be employed in more important matters.

11,784. (*Lord Farrer.*) These things which come within the category you are now speaking of you would not transfer from the City as the local authority to any new body which might represent both the City and the London County Council; but you would leave them with the local authority in the City?—Anything which is purely local I think should be left with the local authority in the City whatever it is going to be called in the future.

11,785. (*Mr. Smith.*) You are the sanitary authority in name and you would like to be in fact the one sanitary authority in your district as in the country districts local boards are?—Quite so, and also have supreme control over our own roads.

11,786. (*Lord Farrer.*) Your vestry does not come in contact with the City in any way?—I do not think we come in contact at all.

11,787. With the City Corporation?—They have a school in our parish, the Freemen's Orphan School. I think that is really the only thing that we have to do with the City, except that they have a wharf here to which they bring their dust and burn it here, and it has been a very moot point over and over again as to whether their action could be stopped. I have had great complaints from men in the Temple that at certain states of the wind a very sickly smell arose there which was very objectionable.

11,788. (*Mr. Smith.*) You would have no difficulty in getting an opinion there, I should think?—No.

The witness withdrew.

Mr. Hugh Mansfield Robinson, LL.D., solicitor and clerk to the Vestry of Shoreditch, called in and examined.

11,789. (*Chairman.*) You are Dr. Robinson?—Yes, sir.

11,790. And what is your position in Shoreditch?—I am solicitor and clerk to the Vestry of the parish and the overseers. I am also clerk to the Assessment Committee of the same parish, who are appointed by the Vestry. I am honorary secretary to the Shoreditch Municipal Technical School, which is managed by the Vestry; I am honorary solicitor to the Library Commissioners, who are also appointed by the Vestry, and I am acting as honorary secretary to the Baths Commissioners, who have just formed a scheme.

11,791. How long have you been Vestry Clerk?—Three years.

11,792. Had you any former experience in connexion with vestries?—Not with vestries; I was articled in Birmingham with Messrs. Barlow, Smith, and Pinsent. Mr. Smith was clerk to the Aston Rural Sanitary Authority, and another sanitary authority. I was then in London for a couple of years in Messrs. Field, Roscoe, and Company's office, doing general legal work. I was then for three years assistant solicitor to the Corporation of Nottingham, under Sir Samuel George Johnson, the town clerk.

11,793. What is the population of Shoreditch?—124,009.

11,794. What is the size of the Vestry?—120 members.

11,795. Do you consider that a reasonable size, or a little large or a little small?—It is a little larger than is necessary, in my opinion.

11,796. (*Lord Farrer.*) The rateable value?—682,000*l.* roughly.

11,797. (*Chairman.*) How often does your Vestry meet?—The first and third Tuesdays in each month.

11,798. In the morning or evening?—In the evening at 6 p.m.

11,799. How many committees have you got?—13. I can give you the list of them—the Electric Lighting Committee, the Technical Instruction Committee, the Housing of the Working Classes Committee, the Valuation List Committee, (who do the work of the Overseers), the Town Hall Committee, the Parliamentary Committee, the Officers Committee, the General Purposes and Sanitary Committee, the Dusting and Scavenging Committee, the Assessment Committee, the Paving and Sewers Committee, and the Finance Committee. There are also the meetings of the Burial Board (I should have said I was clerk and solicitor to the Burial Board also), the Overseers of the Poor, the Commissioners for Public Baths and Wash-houses, and the Commissioners for Public Libraries and Museums.

11,800. How often do these committees meet?—Once a week in some cases, once a fortnight in other cases.

11,801. Do they meet in the morning or evening?—Some meet in the morning, some in the afternoon, but a large number meet in the evening; I very often have to attend four or five evenings a week, the committees commencing at 6 o'clock.

11,802. Is the population of Shoreditch residential in the sense that they work as well as live there, carry on their business in Shoreditch as well as live there?—I have no statistics of that.

11,803. But generally, would you say that that is their characteristic?—There is a very large number, I should say, in the day-time, working in Shoreditch; there must be something like half a million people.

11,804. They live out of it?—Yes; there are very large numbers living at Walthamstow of the artizan population—35 per cent. of the population is of the artizan class, which is the largest population of the kind in London—and they go out to Walthamstow and the surrounding suburbs, and come in by the early morning workmen's trains on the Great Eastern Railway.

11,805. But those who do not live in Shoreditch out of whom the electorate is formed; do they also work in Shoreditch, are they employed in Shoreditch?—A large number are employed in Shoreditch in the staple industries of cabinet-making and furniture-making, and in the building trades as well as boot and shoe making to some extent. I have a list here of the leading industries and the number of artizans employed.

11,806. Have you any view as to the character of your vestry, I mean of vestries generally; do you think any change could be made advantageously in their constitution?—Yes, of course, a great change will be made by the new Local Government Act, in the elections, which was very much required. When that has been done, to decrease the number of members on a local authority would increase the importance of the position, which is a very great advantage, and from my experience of provincial corporations 60 or 70 members is quite sufficient for a working corporation, whereas we have 120. The chief change, I think, required would be to give perhaps larger powers than are at present possessed, to concentrate all the powers of the parish in one authority. At present, Shoreditch is in an exceptionally good position in regard to that. Under their Local Act they appoint the overseers of the parish, and they act as the overseers for the purpose of making and collecting all

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rates. That is a very great advantage, because it is all done in one office, and they collect every rate which is made in the parish. It is a power not possessed by many corporations — in fact by very few. They nominate all their charity trustees, who administer about 1,100*l.* per annum; they nominate the overseers; they appoint all the collectors of rates and the rate clerks, and they have power to recover rates before ordinary justices of the County of London sitting at the Town Hall; and they are now endeavouring to get larger jurisdiction for these justices under the Public Health (London) Act and the Metropolis Management Act because they find that the atmosphere of the Metropolitan Police Courts is not a satisfactory one for persons charged with ordinary offences against Local Government Acts. They also administer the Leverington Charity. They are the Highways Authority, the Sewers Authority, the Lighting Authority under the Metropolis Management Act; they are the Sanitary Authority under the Public Health (London) Act, 1891, and the Local Authority under Part II. of the Housing of the Working Classes Act, under which they are now executing a large local improvement at a cost of 60,000*l.* —under Part II. of that Act. They also have special powers by which they appoint the Assessment Committee annually; this is usually done by guardians, under the Valuation (Metropolis) Act, 1869. They assess all property for all rates in the parish as overseers, so that the overseers in Shoreditch are only left with the registration of electors, and with enforcing the Acts as to disorderly houses, accepting notices of licenses, and so forth. They appoint the Public Libraries Commissioners, Baths and Washhouses Commissioners, and under the Burial Acts they appoint the Burial Board. Under the Electric Lighting Acts they are the undertakers under a Provisional Order issued by the Board of Trade. They also carry on a technical school in conjunction with the London County Council Technical Instruction Board, and for the last two winters they have carried on a labour bureau, and employed as many of the unemployed as possible (about 150 men three days a week).

11,807. They are a very compact body then?—Yes, they are the only local authority, of course there are other bodies that they appoint, the Library Commissioners, the Baths Commissioners, and so forth, but inasmuch as the vestry have to pass all their accounts there is not much difference in their work to their being ordinary committees of the vestry. Power over the finance is a very strong control over all the appointed bodies. Of course there are guardians of the parish, which is a union of itself, it consists of eight wards and two Parliamentary divisions, Hoxton and Haggerston, and with its population of 120,000— and being practically a square mile, 640 acres — it seems to me a very advisable unit for a local authority for a London district.

11,808. (*Lord Farrer.*) It is a compact area, is it not?—Yes, it has rather a triangular irregular shape. This is a map of the parish, showing the shape of it. These are the wards; these are the divisions, Hoxton Division, Haggerston Parliamentary Division; that blue line shows the boundary of the East London Waterworks Company and the New River Company, both of which supply parts of the parish.

11,809. (*Chairman.*) It is rather like a leg of mutton in shape?—Yes.

11,810. All you would suggest would be a reduction in the number of members?—And increased powers in some respects.

11,811. At present, as far as number is concerned?—In the scheme for district councils, settled by the Vestry in September 1892, they suggest the number of district councillors for Shoreditch should be 52, being eight each for Hoxton and Church Wards and six each for the other wards. I attach the very greatest importance to more authority being given to these local boards in order to attract the leading men of the district, because we have very large ratepayers in our parish, a large number of whom are not on the local board because they aim at more influential positions at the present time. Of course, lately the Vestry have been getting very much more power under the different adoptive Acts they have been adopting, and the work now is growing very important.

11,812. How would you compare the quantity of work done by the Vestrymen of Shoreditch and by a Common Councillor in Nottingham?—Well, they do not have quite as many duties in some ways; they have not the water and the gas undertakings, but in an ordinary corporation not possessing those special undertakings like water, gas, and so forth, I think the work of a vestryman is as hard as that of a member of the Corporation. The committee work certainly is—I find I have quite as many committees to attend as in the Corporation of Nottingham. Of course, there was a great saving in the work there, because the committees did a great deal more work of themselves. In the London Vestries everything that the committee does has to be reported to the Vestry, because they have no power of carrying on the ordinary work themselves, so that that means a great deal of additional work for the Vestry. They go over the work twice.

11,813. (*Lord Farrer.*) The committees of the Nottingham Corporation do much more work themselves?—Yes, all the routine work they do without reporting.

11,814. Without reporting to the council?—Yes. And that is an important saving of work. The vestry meetings are very frequent, sometimes weekly—it is quite exceptional to get away from the vestry meetings before 10 and sometimes 11 o'clock, and they start at six.

11,815. (*Mr. Smith.*) The work is done twice over in fact?—The work is done twice over.

11,816. (*Chairman.*) Now you desire more work for your vestry, you mean that some of the work now done by the County Council might well be transferred to the vestry?—Well the vestry settled a scheme for district councils themselves which I have here, showing their views.

11,817. (*Lord Farrer.*) When was that?—This was last year; on the 13th September 1892, they settled a scheme. The chief difference upon the present powers would be that the Library Commissioners and Baths Commissioners and all those kindred bodies should be made committees of the vestry as they are in country corporations; the whole of the powers of the overseers' preparation of the lists and so forth should be handed over to the District Council; the powers of the Burial Board, Charity Trustees, and those under Michael Angelo Taylor's Act, and the control of the district surveyors' That is an important point, and the chief point they were going for. There was a conference of London Sanitary Authorities, and they came there to the conclusion that they ought to have control of the District Surveyors under the Building Acts, which is a power possessed, of course, by all corporations in the country, and the vestry felt very strongly that they are made to suffer for defects in the Building Acts; there was an attempt made by the London County Council on this ground to saddle on them a large scheme under Part II. of the Housing of the Working Classes Act, 1890, by which 250 houses, involving an expenditure of 60,000*l.*, would have been required to have been demolished; the vestry have no power to prevent the construction of such property under the Building Acts, which caused the blockage of this area; houses were built up courts where was no room for building houses at all; and houses were placed back to back.

11,818. That was owing to the district surveyor having neglected his duty, or the Building Acts being in a very bad condition? — Yes, they are. There is a proposal to amend them, but the vestry found in two or three cases that they had got closing orders to shut up model dwelling-houses which had been erected under these Building Acts only nine months previously. I had a case in Boundary Street, Bethnal

Green, close to that unhealthy area which is now being cleared, where the district surveyor passed the plan, and nine months afterwards I got an order from the magistrate to close these buildings; there was no ventilation, it was merely a great model dwelling put into a well between a wall 25 feet high on one side and 35 feet high on the other.

11,819. Could not the vestry prevent that?—They tried to prevent it; they objected to the plans.

11,820. They did object?—They have no power to approve plans for buildings; builders have to send in plans of drainage to the vestry; the vestry is the authority for the drainage; the block plans for elevation and so forth of the buildings have to be sent to the district surveyor; that is a great trouble to the builders, because the consent of two authorities has to be obtained. They send in plans to us and the County Council. When the vestry saw the plans for the drainage of the houses in question, they got to know what had been done, because the houses formerly on this area had been condemned as being insanitary; they were impressed with the necessity of not allowing these huge buildings to be erected, as it would be certain to involve fresh trouble. Their representations were not taken account of. I do not think the County Council could have effected it. The consequence was that under those Building Acts model dwellings containing about 40 suites of rooms were erected with the same back light space as a cottage one storey high.

11,821. Under those Acts buildings can be erected which, when built, can be put an end to?—They can be condemned; that has been done in St. Luke's, and it has been done twice in Shoreditch. I brought this matter up at a conference of the London Local Authorities, and they passed a resolution which we are now pressing on the Council with regard to this new Bill, that all plans should be sent to the sanitary authority, *qua* sanitary authority, and no buildings should be allowed to be erected, which, when erected, would be injurious to health or be obstructive buildings under the Housing of the Working Classes Act. In the present state of the law we have to stand by, and a builder may go and put up an obstructive building within the meaning of the Building Acts, which has to be pulled down and fully compensated for as an obstructive building under the Housing of the Working Classes Act whenever the place is inhabited. What we say is that we should be able to come in at the commencement; in the particular cases to which I have referred a speculative builder arranged with the freeholder, who is a very philanthropic man; the builder was a jerry builder, and the premises had not been very long erected until a great crack took place, and a subsidence followed; the builder got all his money, and the freeholder was left with a great white elephant, which will have to be pulled down as it certainly never can be used for dwellings; he has lost heavily over it, and it is a very unfortunate thing. The magistrate would not condemn them at first, and he tried to make alterations by pulling down part of the wall at the back, and closing up a few rooms. The magistrate said, "It is monstrous to ask me, when "these people have got the consent of the district "surveyor and the County Council, to make an order "upon the freeholder to pull them down."

11,822. (*Mr. Smith.*) The County Council would have no discretion if the proposal to build was within the strict terms of the Building Act?—Quite so; I do not suggest that it was not so.

11,823. You wish to call attention to the anomaly?—Yes.

11,824. (*Chairman.*) It was a defective power altogether in that case, it is not so much that you want a power transferred to you which the County Council possess, but you want a power created?—Well, I think it would be very much more convenient and better if the district surveyor were under the local authority, even if he were to be like the medical officer of health, not subject to dismissal by the local authority, because the local supervision is so much better, you get the district surveyor at an hour's distance from Spring Gardens, and it is impossible for people up there loaded with work as they are, to look after these matters, as they would be by local people knowing local conditions, therefore the vestry ask for this, and all the local authorities in London came to the same conclusion, that the dismissal of the surveyors should be subject to the consent of the London County Council.

11,825. (*Lord Farrer.*) That was in the year 1892?—In 1892 the conference met.

11,826. But there has been no Bill before the Legislature since that time?—No, there is one now this Session.

11,827. Are the local authorities appearing upon that?—They are considering it now, and making representations to the London County Council. I am making that representation to them under this provision, that it causes great delay to builders, great irritation and great trouble, to go to different authorities.

11,828. Is that a question arising under the County Council Bill?—Yes, they propose that they should have better light and air space for these model dwellings.

11,829. (*Mr. Smith.*) It involves the submission of two distinct sets of plans, one of the building and one of the drains?—Yes, to two different authorities.

11,830. Two different authorities which might otherwise be one authority, and on one plan?—Yes, and the conditions of building are so vastly different, in different parts of London, that we think this is a thing which might be undertaken by the local authorities.

11,831. (*Chairman.*) Have you any view as to the propriety of common byelaws for the whole of London?—Some subjects of course ought to be dealt with by common byelaws all over London; others ought to be dealt with locally; that has been clearly shown by a case where recent byelaws of the London County Council would not be enforced by a magistrate; at least he postponed the enforcement of the summons for a very clear breach of the County Council byelaws, for carrying filth through the streets after a certain time, because the trader showed he could not carry on his business if his offal could not be carried about within the time named by the County Council. We pointed this out at the time of making the byelaws to the County Council, that it was impossible to expect all business to be done within the hours fixed during the night sometime. The magistrate postponed the enforcement of the summons to enable this man to go before the County Council to obtain a modification of the byelaws. It is clear that byelaws which might be perfectly good for the West End might become impractical in the East End, and seriously interfere with the business.

11,832. (*Lord Farrer.*) Do you quote that as an illustration of the importance of giving local bodies the power to make these byelaws; you mean that they should not be framed by any central authority?—No, but for some subjects. Of course for some subjects, such as costermongers, it is pretty evident that these byelaws could be made by a central authority. It is very evident that where people go about from one part of the parish to another, such as hawkers, they should not have to grapple with one set of byelaws in one part and another set of byelaws in another; where you have local conditions, byelaws affecting those local conditions might, in my opinion, be conveniently made by the local authority; but where you have matters affecting all the citizens of London, byelaws respecting them ought to be made by the central authority to get uniformity, of course.

11,833. (*Mr. Smith.*) But then this offal-carrying gentleman, he might want to go through the district of more than one local authority; he might find himself stopped at a boundary which would be very unpleasant, I should think, for that locality?—That would not be harmful; he ought to be prevented going through a residential quarter, but in a business

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quarter there would not be the same objection; he would have to find a route where he did not interfere with people's residences, unless he went within the time specified; but, the Local Government Board by having to approve of the byelaws made by local authorities, have secured uniformity to a large extent, even byelaws sent by local authorities; we have sent up byelaws, and they have modified them in order to get them similar with byelaws of other authorities all over London.

11,834. Do you think that the Local Government Board insists upon your getting as near to model byelaws as possible?—Yes, they do, and rather cause friction in that way. We made a large number of byelaws, and they over-ruled them.

11,835. (*Chairman.*) Have you any other suggestions to make as to the power of the vestries?—I think myself very strongly that local authorities should have more power with regard to industries to forward the interests of staple industries in their own districts; the Vestry of Shoreditch have been doing that, but they have been met on every side with legal difficulties. They had no power to start a technical school, the School Board levy a rate of a shilling in the pound, but they have done nothing in that way; they were not teaching a boy anything of the staple industries of cabinet making and furniture making. By a fortunate circumstance the vestry came into possession of a sum of 400*l.*; there was nothing which forced them to pay that into the rate, and the consequence was that they started a school, which has been generously assisted by a contribution of 1,000*l.* for the year by the London County Council. They would not have been able to get that unless they had over-ridden that difficulty by quite a chance accident in the first instance. They also held an exhibition of furniture, which had a very useful effect upon the trade, they got a very large collection of modern furniture, and antique furniture, into the Shoreditch Town Hall, and that aroused a good deal of interest among the cabinet makers and gave publicity to the industry.

11,836. (*Mr. Smith.*) Your technical school does something more than teach the principles of the trade; it has a direct application to the industry of the neighbourhood?—Yes, that is so.

11,837. That is a little more than the Act contemplates, is it not?—Oh, no; we do not apprentice; we only teach them the principles of the science and art underlying their industry.

11,838. You do not teach them the actual handicraft?—No, we will not take anyone in unless he is engaged in the industry, otherwise we should not get our grant from the County Council. Just one point connected with the City and the interests of the artizans in connexion with that very exhibition; we applied to the City for a grant towards the expense which it necessarily involved. There were 14,000 artizans who attended that exhibition in one week; we have never been able at any time to get any funds from the City for such an important purpose as that, and we feel very strongly that the artizans who now inhabit Shoreditch have very largely been pushed out of the City. In consequence of their small dwellings being taken up by large warehouses and business premises, they have been elbowed out. And they have lost all claims they had on the splendid City charities and the splendid endowments of the City Companies. They applied to all the City Companies—the Carpenters' Company, they strongly approached for assistance in connexion with this technical school at Shoreditch, which is the very centre of the furniture-making industries; there are 20,000 artizans now engaged in them in Shoreditch and the vestry thought they had some claim on the funds of the Carpenters' Company, being just within a stone's throw of the City. The Carpenters' Company replied, however, that they intended to start a school of their own at the West-end, far away from where the industry is located; the Vestry felt rather strongly that the City funds should be made available for the persons who originally resided in the City, and for whom originally those funds were left.

11,839. You speak of the City funds; you mean the City Companies funds, not the City funds?—The City funds for industries; that is a large question of course, whether the City estates, like the Bridge House Estates, might not be made more advantageous for the outlying districts.

11,840. The Bridge House Estates are rather trust estates for a particular purpose?—Yes.

11,841. Have you made an application to the City itself—to the Corporation?—Yes, we made an application for a contribution. There was a motion made that we be given 100*l.*, but that was knocked on the head, although the Lord Mayor, Sir Stuart Knill, was the president of the school, and supported us very largely. The Plumbers' Company gave 100*l.* towards it. The Haberdashers' Company, which draw between 3,000*l.* and 4,000*l.* a year from Shoreditch in the busiest part of Hoxton, we approached time after time for contributions in respect of public libraries, baths, for the furniture exhibition, for prizes, and for the school; we could get not a halfpenny from them. They have been endeavouring to get the Aske schools into another district. They have been throwing difficulties in the way of our getting those school buildings for a technical school and it is only by the help of the Charity Commissioners that we hope to get that school applied for the purpose of technical education, and the open space round it preserved as well. I might say with regard to the general powers of the vestries and the County Council, I think this has been found that, apart from the working of the vestries, it is unfortunate that the County Council should endeavour to interfere or carry on work which the vestries now have power to do and ought to be doing. There is no doubt that if a vestry is in default in doing its own work, there should be some authority to do that work for it, in default, but otherwise it would seem that on a proper re-organisation of all the duties that certain powers which are naturally local powers should be given to a local authority to carry out entirely by itself without supervision, unless it is in default, when another authority ought to be able to step in as now laid down under the Public Health (London) Act; the central powers would be so great and enormous that they would be quite sufficient for the central authority to take over alone such as the water the gas and police. If those were added to the London County Council they might probably have more to do than they are anxious to to do. They have caused some friction in the past. Under the working of the Housing of the Working Classes Act, we had to send a protest to the London County Council. We have had several applications to report every step we took in regard to closing houses under the Housing of the Working Classes Act. That we refused to do, and we declined to do any more than the Act laid down. We said the London County Council had no power to require that; and in the same way under the Public Health (London) Act we have had to raise that point, that we were not bound to report our actions—we were not obliged to do that. It would have entailed extra clerical work in the office to inform them of everything we were doing in the office. That tends to cause friction and unnecessary work. We felt that especially in the Mora Place scheme, which has shown the great delays and troubles that arose where two corporations have joint authority. That is a scheme which we are executing as the local authority, but the County Council were ordered to pay one half the cost of it under the order of the Secretary of State. We said it ought to be done under part 1, as there were more than ten houses and it was a very large area. The County Council held that it ought to be done under part 2 as the Vestry was at fault in allowing the place to get into that state. The Home Secretary split the difference and said it should be done under part 2, but that the County Council should bear part of the cost. There has been a great deal of correspondence between the Local Government

Board, the County Council and ourselves in trying to get all the details of that scheme settled. The proposals first come before my committee, and then a fortnight after they go before the Vestry, and when settled they go before the County Council committee, and afterwards before the Council and the Local Government Board, and if there is any point of difference they go back to both committees and Council and vestry and the Local Government Board. The delays are most harassing.

11,842. What is the present position of that?—We are waiting for the order of the Local Government Board; we have been for many months; we have been promised it this week. I have had clerks in the office ready to go on with the work, and the owners are losing heavily, for their property is depreciating heavily owing to the delay. The delay is most unfortunate, but it is owing to the number of bodies that have to deal with the matter. For dusting and scavenging purposes it was most unfortunate that we should have to come before a Committee of the Council for a loan. We had to wait four months, but that was due to the summer vacation coming between the time of our application and the time of our getting our loan. If we had not been able to raise the money from our bankers temporarily we should have been in a great difficulty. We have not only to get over the difficulty with the County Council, but they have to wait for the consent of the Treasury; we have to wait for a small loan of 5,000*l.* until the Council get the consent of Her Majesty's Treasury. The consent of Her Majesty's Treasury is communicated to the County Council Committee, and the County Council Committee bring it before the Council.

11,843. (*Mr. Smith.*) You know that is a very general plan throughout the country. The Local Government Board when they come to Birmingham often find the work half done?—Yes, I suppose that is so.

11,844. We cannot wait for them?—But the worst of it is we have two Local Government Boards. Then with regard to the unemployed, that is a large question that we wish the County Council to take off our hands.

11,845. (*Chairman.*) How is it you have got it on your hands?—By sheer force of the unemployed themselves. They have come a thousand at a time, and waited outside our Town Hall, and blocked up the traffic. Vestrymen have had to come in at the back-door to get in to the Town Hall; the unemployed came in a threatening manner until the Vestry agreed to put on so many men to do the dusting and scavenging, twice as often as before; and by taking up a lot of streets we found work for 150 men three days a week. One thousand of these men on several occasions marched down from Tower Hill, and endeavoured to block the entrance to the Town Hall.

11,846. (*Mr. Smith.*) You had to thank the Local Government Board for that, I think—their circular?—We had their circular; but they did not give us the legal power to carry it out. If we were the County Council, if we had powers outside London, it would be an easy matter; in fact we got up a scheme for light railways for dealing with the unemployed, which was supported at a meeting of the local authorities of London, and taken before the present Government. Shortly, it was a scheme to convey parish refuse out into bog lands by some light railways, such as has been done in Glasgow with splendid success. There they have reclaimed several acres of bog land outside Glasgow which was worth nothing at all; and by the aid of unemployed labour they have been able to make a clear profit of 600*l.* per annum. The same thing has been done in Calcutta. This is the difficulty—we have no power to go outside Shoreditch, and inside *ex hypothesi* we cannot find the work for them. We have been keeping a labour bureau. That is a very serious question, and ought to be dealt with. A large number of Anarchist Clubs have started in Shoreditch. Whereas a few years ago there were only 10 Anarchist Journals in London there are now 300 circulating in foreign languages, and spreading revolutionary sentiments and sedition broadcast throughout London. These unemployed workmen will not go into the poor-house. I have seen families starving, and they furnish good ground for sowing the seeds of revolution and sedition, so we think the matter is very pressing. According to the census we have always got 2,500 people in Shoreditch who are unemployed, or have no settled occupation—casuals, and these, of course, are increased when men find they can get work in the place.

11,847. (*Chairman.*) You do not appear in the very poor districts mentioned in Mr. Booth's work, do you?—Oh, yes; we are one of the very poorest ones. Of course a certain part of the parish adjoining the city is not poor, because it is composed of large warehouses and workshops and very few residences. That is not poor, but the upper part of Hoxton is. In this Mora Place scheme we have 750 persons to an acre and a half; that is 500 persons to the acre, the densest population in London certainly.

11,848. (*Mr. Smith.*) Your rateable value compared with your population is low?—682,000*l.*

11,849. And your population?—124,000.

11,850. That is not so bad. You have got nearly 6*l.* a head?—The exact rateable value on March 1893 was 681,748*l.* for county and police rates, and 676,000*l.* for general rate; the difference is owing to one street being in the city for municipal purposes.

11,851. Still you are very nearly 6*l.* a head rateable value; that is not bad?—Yes; that is made up by several large railway companies. The London and North-Western Railway goods depôt is in our parish, and the North London Railway runs through it.

11,852. It may be consistent with a good deal of pauperism, too?—Yes.

11,853. (*Chairman.*) You are rather below the average. Your rates in the pound are something like under 5*s.*, are they not?—They are now about 6*s.* in the pound altogether. That is a report dealing with the unemployed question—the scheme that I was mentioning (*handing in paper*).

11,854. (*Mr. Smith.*) I hope you do not give it us thinking we belong to that class. We find our present business quite enough?—Oh, no. That is a point on which legislation is wanted to enable the County Council to deal with the matter. We are spending money on labour bureaux. We do not know what might happen if we had a Local Government auditor instead of a vestry auditor.

11,855. But then this would need the combination of a great many districts, would it not, to make a light railway which was to go anywhere?—The Corporation might do it, I suppose—buy the land. You can get land in Essex here very cheap—about 10*l.* an acre. Of course, they would have to be built in conjunction with private companies. It is not suggested that the Corporation should do it themselves. State-aid, Corporation-aid, and private companies would be combined as in Ireland.

11,856. (*Chairman.*) Have you anything else to suggest with respect to the County Council?—That is the main line of my suggestions—that local bodies should have as large powers as possible in order to attract to them the best men and the best officials. They should have large powers given them, and have under their control all those powers that are thought to be local; they should be given entire control over those; the central work should be entirely controlled by the central Corporation, and the district authorities should have as much dignity and influence and authority given them as possible in order to arouse the interest and the feeling of citizenship amongst the citizens, which is a most important point. It is chiefly owing to the apathy of the London ratepayer that local government had fallen to the condition it had done a short time ago. Now a very strong municipal spirit is being aroused, and, I think, with sufficient powers that the local bodies would become as well managed as anywhere else. I ought to say as to the Shoreditch Vestry, who

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collect 162,000*l.* a year, that not a penny in the whole year is paid in the way of refreshment to any official or any member of the Vestry, although they go out visiting two or three days at a time. I do not know any corporation which, by unanimous vote of its members, took over the electric lighting monopoly in the face of applications for provisional orders from two private companies, as the vestry has done.

11,857. (*Lord Farrer.*) Are they doing it now themselves?—Yes, we have a large scheme for dust destruction—running an electric lighting station by destruction of dust alone, and heating baths and wash-houses also.

11,858. It is only a scheme at present?—We are purchasing land costing 33,000*l.* for that, and the great drawback to us is the great cost of land, being only a mile from the Bank of England. It is also proposed to erect a public library on the same site, so we shall have a splendid pile of municipal buildings. We have a report from Manlove and Company, showing that it will be quite possible for us to destroy 20,000 tons of dust, and to run the electric light plant without the use of any coal whatever, and Mr. Manville also, a leading electric lighting engineer, who has done Dublin and other corporation works, has reported to the same effect. That is a joint scheme, and estimates for carrying out the scheme have been approved.

11,859. You are going to burn the dirt?—Yes.

11,860. Are you going to use the combustible material that you have described anarchists use. I do not quite understand?—It might be very useful as a crematorium for them. The project is a very large scheme. It has been done in some places to a small extent; not on the large scale we propose to do it. It will cost about 120,000*l.*

11,861. (*Mr. Smith.*) You have no funds I think you said; everything comes from the rates?—Yes, that is to say, except the charities. We have about 1,100*l.* a year in local charities; and I think very strongly the money should be spent in finding work for the unemployed, instead of being spent in doles and that kind of thing. I think the charities in London would settle the unemployed question if they were devoted to that purpose, because I believe persons should be found work and not pauperised when they are honestly out of work, rather than be given doles and kept in a state of half existence by charities of different religious bodies in the district. I have had cases of some of them going to four or five different charities. One woman belonged to five religions. She had some children, and she used to go first to one place then to another in order to get these charity doles, and would never do any honest work accordingly. That, of course, is another very large question; the vestry decided that the district councils ought to have full control over the public charities in order that they might be administered in a proper manner.

11,862. (*Chairman.*) You have your charities under your control?—The charity trustees are appointed by the Charity Commissioners on the nomination of the vestry, who have not any control over the funds, but the Charity Trustees have sent out an annual report which I have here, showing how those moneys are disbursed. But the vestry have not the same control, there being no finances required from the vestry for that purpose as in the case of the Library Commissioners and Baths Commissioners.

11,863. You nominate the trustees, but you cannot control their action?—That is so, but there is one small charity where the vestry distribute about 30*l.* a year.

11,864. Have they much discretion as to the form of distributing these charities?—The Charity Trustees have.

11,865. Your trustees?—There are certain doles—money doles and bread doles, and so forth. Some old women get 10*s.* each and that kind of thing. But I believe the private charity system is at the root of half the evils of the unemployed, of these people who try to prey upon others. I do not believe in giving people money or doles for nothing. They ought to perform some service. That is a copy of the Local Act of Shoreditch, the powers under which the vestry are very anxious to preserve.

The witness withdrew.

Mr. T. Holland.

Mr. Thomas Holland, Clerk to the Vestry of Chelsea, called in and examined.

11,866. (*Chairman.*) You are the vestry clerk of Chelsea, Mr. Holland?—Yes, sir.

11,867. How long have you held that position?—I have been clerk and assistant clerk for nearly 10 years; I have been vestry clerk a little over four. I had considerable experience prior to that of local government in Kent and in Lancashire.

11,868. Where in Lancashire?—Bolton.

11,869. Your Vestry consists of 120 members?—No, 60, and *ex officio*, the rector and churchwardens; 60 elected and 3 *ex officio*.

11,870. Do you find that a convenient number?—Quite so; I think it is a nice number indeed. If we were adjusted according to the Metropolis Management Act we should have 120, but the number is now the same as was fixed when the Act was passed in 1855, and we have not altered it, so that the original number has answered very well.

11,871. How often does your Vestry meet?—Fortnightly, sir.

11,872. At what time?—5 o'clock in the afternoon.

11,873. Is that convenient for the majority of the members?—Well, sir, there are some members who have business in the City, or are civil servants, who prefer the time later, and an effort has been made to alter the time to 7 o'clock, but it has not been successful. For the majority of the members I think the time is suitable, 5 o'clock.

11,874. It is a question which perhaps might be raised again when you have got a new body?—Yes, sir, I think it is very likely; in fact, I think most probably if we get an influx of the working classes that we shall have later meetings for their convenience, but for the tradesmen—we have a mixed body in Chelsea—for the tradesmen and shopkeepers, and we have also some gentlemen, but it would be convenient for them at any time; it would really be more inconvenient to the tradesmen in the evening—it takes them away from their business.

11,875. How long does the Vestry sit daily?—It varies very much; sometimes four hours; but I think the average would be between two and three.

11,876. They are able to go back to their business at 7 or 8?—Yes, sir, sometimes; at other times it is 9 o'clock; sometimes there are very long meetings when there is anything special; sometimes we have deputations for the use of the Town Hall.

11,877. How many committees have you got?—Twelve, sir; they meet fortnightly too; the Vestry meet on alternate Tuesdays, and the committees on alternate Tuesdays also, some of them; they do not all meet on the Tuesday. The Finance Committee and the Local Government Committee and the Public Health Committee meet on the last Friday, they meet at 6 o'clock—commencing at 6 o'clock.

11,878. And the others?—The others follow. When one is over the other commences.

11,879. But all the committees meet at 6 o'clock?—Yes, sir; some members are on all three committees, so that it really is not inconvenient to them. Others find it a little inconvenient, because of course they have to wait.

11,880. Now you organised a conference of vestries a little while ago?—Yes, sir. A very important conference was that, I think. I have not known so

influential a conference as that on Metropolis Local Government called together.

11,881. (*Lord Farrer.*) When?—In 1890, my Lord.

11,882. (*Chairman.*) What was the immediate purpose of calling that conference together?—It was called together, sir, in consequence of the action of the London County Council, or rather a committee of the London County Council which had prepared a scheme for dealing, as they thought, with this question of the reform.

11,883. (*Lord Farrer.*) Are you quite sure that you are accurate there? Did the committee prepare a scheme?—To be quite accurate, sir, I believe it was a sub-committee.

11,884–5. I think a member of the committee drafted a scheme which he placed before the committee? I do not think any official steps were taken whatever to adopt that scheme by either sub-committee or committee, if I remember right. I know that Chelsea was very much alarmed about it, as I was Chairman of the committee at the time?—Oh, I beg your pardon. Well, we state in our memorial, "Your memorialists are informed and "believe that a scheme for the establishment of "such District Councils has been formulated by "a sub-committee of the Local Government and "Taxation Committee of the London County "Council, whereby extensive alterations are suggested "in the present administrative areas for local govern-"ment in the metropolis." It was a sub-committee, I think, my Lord.

11,886. I do not think it even got that length?

11,887. (*Chairman.*) It does not very much matter now?—At all events the members comprising that sub-committee, or whoever were moving in the matter, were considered to be very influential people, and it was thought in Chelsea that no time should be lost in placing before the public the views which the electors and the people in Chelsea held upon that question of the proposed amalgamation. That was the real object of the conference, sir.

11,888. (*Lord Farrer.*) What was the particular point that was objected to, or that was supposed to be dangerous?—Well, the particular point of that scheme was this: it was proposed among other things to unite Chelsea and Kensington. Well, Chelsea is already a large parish; it is a populous parish, and a very influential one. And Kensington is also a large parish as well, and we in Chelsea—perhaps exceptionally so—pride ourselves on local patriotism. I do not think there is a district in London where there is anything like the same active municipal life that there is in Chelsea; it has always been so. There are districts where possibly such a proposal would not have encountered any opposition, but in Chelsea there is more activity even in vestry elections I think than in any other part of London. Under those circumstances we feel it would be an extinction of local life in Chelsea.

11,889. (*Chairman.*) Chelsea is a very compact area?—Very compact for all purposes—for Parliamentary elections, for the election of guardians, and for the County Council elections, except the School Board, which is a very huge division, but for all other purposes it is one area, so there is no district in London that might have been left better alone than Chelsea.

11,890. With the exception of that bit at or near Kensal Green?—We are a little exceptional there, but I may say the inhabitants were very much in favour of being united with Chelsea. It has also formed part of Chelsea from time immemorial; there is a building there which answers very well for the resident officer, who is also inspector, so that really there is no practical disadvantage with regard to that. If we were starting afresh without buildings or anything if that kind it would be another matter. The inhabitants there are in favour of uniting with Chelsea, but if the local people in Kensal Town were in favour of being severed from us I do not think the home district of Chelsea would really object. I think we should bear our responsibilities, probably it would cause an increase in their rates, because they are rather a poorer class.

11,891. (*Mr. Smith.*) Do you happen to know how they got there?—Well, the Queen's Park Estate built nearly the whole of that property there.

11,892. How did they come to be a part of Chelsea?—I believe I will have to take you back to the Doomsday Book for that.

11,893. Never mind that—It was really part and parcel of the land held by the monks at Westminster.

11,894. (*Chairman.*) I believe that the explanation is that the tenants living in the parish of Chelsea went there to get wood; it was their bit of woodland?—It has always been part of Chelsea, and early in the sixteenth century Lord Sands made a gift of it to Henry VIII.

11,895. (*Mr. Smith.*) In the year two thousand and something, people will wonder why there is such a large place called Birmingham in Wales?—In one of the resolutions there, on that point, if you will permit me to refer to it, we say that in the opinion of this Conference, any proposed re-adjustment of London Administrative Areas should preserve, as far as possible, the existing local administrative units, the boundaries being altered only where necessary to secure efficient administration. It contemplates such a case as that; it really refers to districts such as the Strand, where there is really no residential population, and it might be desirable to unite them, because there is no life there like there is in Chelsea.

11,896. (*Chairman.*) You wish to keep Chelsea undetached and unaltered, but there might be other cases in which alteration might be desirable?—Yes, sir, that is so.

11,897. On account of the smallness of the area?—Yes, or the largeness of the area; take Battersea, which was severed from the Wandsworth Board of Works, because the district was so large as to be unwieldy; take Fulham and Hammersmith, those districts were severed; in that case the alteration was because they were too large, not too small.

11,898. Your first resolution points to a fear which is no longer important. Now, what is your second resolution?—I ought to say that it would be of importance if any similar proposal were revived, and on that point I have here before me now a scheme which seems to be subject to the same opposition which was offered to the scheme of the London County Council, or their sub-committee. It is a scheme of Mr. Hitching's, and the vestry of Chelsea quite lately have condemned that scheme.

11,899. That absorbs Chelsea and Westminster?—That absorbs Chelsea and Westminster, and it also proposes, singularly enough, to unite Battersea with Wandsworth, a district which was quite lately taken from it; Battersea was severed from Wandsworth, and in like manner also Fulham and Hammersmith, the very two which I have just mentioned were severed, I think in 1885.

11,900. (*Mr. Smith.*) It preserves the City of London, does it not?—Probably sir, I did not look so much into the City, I only looked at it from my own point of view. The Vestry unanimously condemned this scheme, in fact it is hardly serious I imagine, because on the very face of it, it is so impracticable.

11,901. It does not meet the desire, so far as you know, of the localities affected?—I may say on the contrary it would be in direct opposition to the localities. I can speak as regards Battersea, and I can speak as regards Chelsea.

11,902. The only unaltered area is the City of London, is it not?—I am sorry to say I have not gone so far into it; we rejected it.

11,903. (*Lord Farrer.*) Do you remember any scheme of the same kind being suggested before, in 1886, by the City of London?—There was another scheme, but I think rather of a different kind—the City scheme. It was what I might call a varied or a somewhat modified kind of that scheme.

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11,904. It was for creating separate municipalities?—In Chelsea there would be a large preponderating opinion against them. We are too far gone to entertain such a scheme, there must be one supreme council for all London, we cannot turn round upon that; that is the unanimous feeling in Chelsea for the larger municipal purposes of London, we all agree upon that I think.

11,905. (*Chairman*) Do you want to make new in any way your local government in Chelsea?—Yes, sir; in any alteration which is made we think improvements could be effected very well, both as to the County Council and the Local Authorities.

11,906. (*Lord Farrer.*) Before you go to that, would you alter the title of your Vestry, or would you keep it as a Vestry?—Personally, I should alter the title; and I think the majority of our members would. Our Chairman now is a gentleman who thinks very highly of our Vestry, and he personally would feel very sore about altering it I am sure.

11,907. Is he a clergyman?—No, sir; when I say Chairman, I mean our acting-Chairman; the rector is our *ex officio* Chairman in Chelsea; we have a Deputy Chairman, who always takes the chair, except on Easter Tuesday, so he is practically Chairman.

11,908. I do not understand whether you think it would be he who would be in favour of a change, or opposed to a change?—He is not in favour of a change; Sir Charles Dilke and other members are almost unanimously against the present title of vestry, they would prefer having it changed to district council; having got a County Council, they think it would be desirable to have them in harmony, and call them district councils.

11,909. (*Mr. Smith.*) Is it not more in harmony with this legislation of 1894?—Undoubtedly. I have made a point of that.

11,910. The Vestry now would practically be relegated to its strictly ecclesiastical functions?—Yes.

11,911. The old vestry in its new civic form will be a district council?—Yes; but there is no doubt that the change will meet with some opposition; I mentioned that, because I thought it due to our own chairman, who felt very strongly about it; he opposed the alteration in the vestry, but I am sure he would be in an infinitesimal minority on that point. Personally, I think the term "district council" would be the right term. I did not mention, sir, just, now—going back a little upon the Conference—that it was so very well attended, I think I am justified in mentioning that there were present at it representatives of 26 out of the 40 vestries and district boards, and subsequently 7 more were appointed, making a total of 33 authorities represented on the Conference. The population of the districts represented on the Conference was 3,378,545, that of the whole of London being 4,232,118; whilst the rateable value of the districts represented amounted to 24,587,274*l.*; that of the entire Metropolis being 31,819,412*l.*; in round figures there were three-quarters of the whole of the local authorities of London represented. I think it may be said that their views would be likely to be such as would evolve some practical working scheme.

11,912. (*Chairman.*) Well then you proposed a little rearrangement of functions between the County Council and Vestry or district council?—Yes, sir. First of all, if I might refer to Resolution No. 2, or rather *b*, it is in the following terms: "That in the "opinion of this Conference the office and functions "of the district surveyor under the Building Acts "should be in the hands of the local boards and their "officers with an appeal to the London County "Council." Well, sir, the reasons, I think, in favour of Resolution *b*, are really overwhelming. To commence with it would prevent the unnecessary duplication of officers; the local authority knows more about the needs of its own locality than the central body can do. At present the areas over which district surveyors act are not easily defined. There may be, or it is possible to have a conflict of requirements between a district surveyor and that of a vestry, there would be an economy in the mode of administration, it would effect a saving of time, the inspection of the drains by the vestries would be done by one officer and the inspection of the buildings would be effected in one journey, or one visit, and the fees, I should suggest, should be made payable to the local authorities. The office of the district surveyor is not central like the Town Hall is. Now in Chelsea we have frequent inquiries. We have three district surveyors in our parish, and people do not know who to go to; they come and ask which district surveyor they should go to. If he were in our office they would come naturally to the headquarters and they would be attended to during office hours. District surveyors only attend from 9.30 to 11 and from 4 to 5, which is a very short time. In that detached portion of Kensal Town the district surveyor's arrangements are, I think, exceedingly unsatisfactory, and to walk from Kilburn to Norland Square, 2½ miles, is rather a long way to come. If it were the vestry surveyor who exercised the duties, the office is almost in the centre of the district. On the ground of convenience therefore I think in our own case it is overwhelming.

Another thing, at the present time the district surveyor is independent of the London County Council. Mr. Weir, M.P., has given notice of the following question for to-day in the House of Commons: "To ask the President of the Local "Government Board whether his attention has been "called to the fact that it is not the business of the "London County Council to inspect reported cases "of defective work which have been passed by the "district surveyor, or to see that work for which he "is responsible is properly done. And, whether, "having regard to the serious case of defective build-"ing work at Frognal, N.W., passed by the district "surveyor, to which the attention of the Local "Government Board has been called, it is pro-"posed to take steps to extend the powers of the "London County Council that its officers may "be able to act promptly in cases where the dis-"trict surveyor fails in his duty." We ask, sir, that these duties should not be conferred on the London County Council, but that they should be given to the local authorities. It is clear that the present system is unsatisfactory from this question to-day. In addition to that, you see the surveyor of the vestry has a more extensive local knowledge than the district surveyor has, because the latter generally he has an office in town or in the city, where he carries on his business as an architect. Then we also say that it would be better for the surveyor at least that he should be paid by salary, because he would know how much he was to receive. Since Resolution *b* was passed a portion of the duties of the district surveyor has actually been transferred to the local authorities by section 97 of the Public Health (London) Act, 1891, with regard to underground rooms. Some portion of that resolution has been acted upon by the Government; it is now the law of the land. I might also say the powers of District Surveyors are exercised by urban authorities, and under the Local Government Act, 1894, the vestries of London are placed on a somewhat similar footing, that is with respect to the election, qualification, and the various powers under section 33. Well then, sir, Resolution No. 3: "That in the "opinion of this Conference, the time has arrived for "consolidation of the various functions of Overseers, "Assessment and Valuation Committees, and Burial "Boards, under district local authorities elected on a "wide franchise, also the functions of Baths and "Washhouses Commissioners and Commissioners for "Public Libraries; and that, generally speaking, it is "desirable to make the local boards as important as "possible, and for this purpose, to vest in them all "such executive functions (excluding Poor Law and "educational administration) as are not essentially and "necessarily the functions of a central authority." Paragraph No. 7 of the memorial to the Marquis of Salisbury gives some reasons for this resolution. We say that it would be more economical again as

the duplication of officers would be prevented. At the present time, in many cases, the Library Commissioners have a clerk, the Burial Board have one, and the Baths Commissioners have one too. It would have the effect of consolidating them with regard to officers. The present indirect form of election would cease—they would be administered directly by the direct representatives of the people—and we now have a very wide franchise under the Local Government Act, really a most democratic franchise, more so than the franchise of either municipal or parliamentary boroughs. We say also that it would increase the importance of local bodies. The system of sanctioning loans by the vestry is one which does not give them direct control over the library or baths either. They are in this position, that they must either sanction or reject them; and if they were to reject them they would embarrass the Library Commissioners, and they have no means of giving an effective control, and it would also, we say, encourage a better class of candidate to come forward for local government work.

11,913. You would not exclude the possibility of appointing on committees regarding the baths and washhouses or libraries persons who are not members of your vestry?—We have got a scheme which I was going to hand in if you will allow me on that point. We say, letter *c*., the various functions of Baths and Washhouses Commissioners, Public Libraries Commissioners, and Burial Boards, with power to appoint on the committees for the management of the same, persons who are not District Councillors; the Registration of Births and Deaths, and the administration of the Vaccination Acts. That very point that has been approved by our Vestry, sir—by that scheme. I am sorry to say I have only one copy to hand in.

11,914. When was this approved?—It was submitted in September 1892, and approved last year.

11,915. After this conference?—Yes, sir, it was.

11,916. I quite see why you should appoint people on libraries; I do not quite see the same necessity for putting them on baths and washhouses unless they were representative of a particular class?—Well, sir, it might happen in those cases—for instance, technical knowledge might be and sometimes is of great value with regard to baths.

11,917. As to construction?—Yes.

11,918. You generally go to professional assistance for that, do you not?—Well, we have an engineer on our Board who has been very serviceable in that way; he is elected, but he might not be elected. Mr. Æneas Smith might be appointed, as he has taken considerable interest in the baths without coming forward for election.

11,919. We have found very great advantage in that in connexion with the libraries; students are not men who like to take part in public life and other questions, but they give their work for libraries?—We have found distinct advantages from it in Chelsea, and our Vestry approved of that.

11,920. I see in the recommendations agreed upon two or three years ago you proposed that all the members of the Vestry should go out at once every third year?—Yes, sir, we do; we think it is better than the present system; the mode of election under the Local Government Act, 1894, has not altered that system, but that is the view that our Vestry held about it.

11,921. Does it enable the alteration to be made?—It does not.

11,922. What were the grounds for that opinion of the Vestry?—It is in accordance more with the County Council system; that was mainly the idea, and it gives a more effective control; if there were anything unsatisfactory in it they could turn the members out.

19,923. All out?—Like a general election for Parliament.

19,924. That rather exposes you to other dangers, does it not, complete discontinuity?—There is that danger, sir; but it has settled itself practically, because I have known cases where there have been vehement expressions of opinion, but I have never known the whole Board turned out—a clean sweep, if I may say so, made. There may have been considerable alterations made, but at any rate some would take one side and some another, and it would settle itself practically. Those who might be unpopular in some wards might perhaps be rejected, and others would be elected in their places.

11,925. The Vestry did not think it would be sufficient to have a manifestation of opinion through the election of one-third?—Well, our Vestry thought not, sir. If you ask me my personal opinion, I rather agree with the Vestry; I think there is this to be borne in mind, that having had one every year, the election comes so often that the electors are rather bothered now. When you have a sort of concentration of electoral energy once in three years, I think the electors would take more interest and come to the poll better. I will give an instance of that now, this very year. I have no doubt it will be much more difficult to get elected on a vestry this year than it was last, for this reason: there will be a large accession of voters, and the time is prolonged from May to November, another six months, and you will find a sort of impetus given to public opinion, by the fact that six months hence the vestries will be somewhat reconstituted under the new system. You will find, I am sure, that some, even our own members, will lose their seats in that way.

11,926. There will be a great scramble?—Yes, there will be more interest.

11,927. Do you wish to have a great scramble for all the seats?—I do not think they will all be elected; I think we shall get a large number of our old members who come forward returned.

11,928. (*Mr. Smith.*) You prefer activity to sloth?—Certainly.

11,929. (*Lord Farrer.*) Are your elections political?—Mainly, sir.

11,930. They are?—They have become so lately, I am afraid; it is not open, but my own impression is that they are really political.

11,931. (*Mr. Smith.*) Do you think you improve the argument much by your parallel that you have drawn between Parliament and an administrative body like a vestry? Do you not think there is a distinction between a legislative and an administrative body?—I agree, sir, that they are not quite the same, but I do not see sufficient ground for distinguishing them. I think that in the case of Parliament when Parliament is dissolved you give the electors the full opportunity of electing a new Parliament, whatever changes are made, and in the case of vestries you would do the same.

11,932. Yes, but you must remember you preserve, in the case of Parliament, a very strong executive force in the permanent officials of the country, which you cannot expect to gain in local government to the same extent?—Certainly, sir; I do not think they are exactly parallel.

11,933. I do not think that argument helps you much. I think you have given some good reasons why you should have the triennial elections?—Yes. Then, sir, I rather agree with the Vestry's view; it comes to that, that in London especially, there has not been in the past too much interest in the local elections.

11,934. No, I should think not?—If you can give them an additional ground for taking an interest in it do so by all means; and if you elect them once in three years you would do that.

11,935. (*Chairman.*) Are you acquainted with the municipalities in the country?—Yes, sir. I have some experience, not through having been engaged in municipalities in the country. I have been assistant to clerks to rural sanitary authorities, and also to clerks to the guardians, both in Rochester and Bolton. I have lived under muncipalities in Rochester and Bolton.

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11,936. Would you say, from your knowledge o their history, that through having partial elections every year, one-third, there is a decrease of interest in local affairs?—No, sir; I should not. I think my experience in local matters in the country shows me that there is plenty of interest in local matters there.

11,937. (*Lord Farrer.*) More than in London?—Yes, there is. I can speak exactly. We have a ward in Chelsea where the electorate is about the same as one in Bolton. It is considered a very good number to get 1,000 to vote in that ward. In Bolton 4,000 people would vote there. It is a ward something of the same size—2,000 on each side in the list—you get in for a little over 2,000 votes. That is a ward something of the same size as our Church Ward in Chelsea.

11,938. And yet you say there has been great interest and great patriotism about your local government?—Undoubtedly.

11,939. More so than in many parts of London?—Yes. Pardon me saying this, that the municipalities in the country have considerably more powers than we have. For instance, the police—and they have the fire brigade, and the gas and water, questions which come nearer to their homes than the local government of London does.

11,940. (*Chairman.*) They have not all had gas and water, not at all events for some time?—In Lancashire, with which I am familiar, they have had for some time, and they have had large profits made which aid the reduction of the rates.

11,941. Did the interest in local affairs spring up after they got gas and water?—I have no doubt it intensified it, because that is a question that comes home directly to them. Everyone consumes water and gas, or nearly so—much more largely than in London, because here oil lamps are more extensively used than they are in the north.

11,942. (*Mr. Smith.*) As a rule the more work there is to do, the more interest is taken?—Undoubtedly, that is my experience.

11,943. (*Chairman.*) Another point that was dealt with by your Vestry, on the question of the County Council, was that the County Councillors for the district should be *ex officio* members of the district council?—That is the proposal of our Vestry, but I am against it; I am against *ex officio* members. It is best for Parliament that everyone should be elected. But speaking for the Vestry, they have approved that.

11,944. But they would be elected; they would be elected for the County Council?—They would be elected, but they would not attend. A County Councillor, in my opinion, in London, has as much as he can do of work in London of a very extensive and intricate character. Some people have time, available time. If he likes to come forward, let him be elected like other people.

11,945. (*Lord Farrer.*) Is there any member of the Chelsea Vestry member of the County Council now?—Yes, we have two members, Lord Monkswell and Mr. Frank Smith.

11,946. (*Chairman.*) Mr. Æneas Smith was?—He was on the Council.

11,947. Was he on the Vestry?—No, sir, he was not on the Vestry. But I say it was a case where probably he would be elected on the Baths Commission. He has a technical knowledge of engineering, and took a considerable interest in the baths question. He retired from the County Council because he had not time. It might happen now that he would not mind being elected a Baths Commissioner, and the services of a gentleman like that would be of very great use.

11,948. Have you had no difficulties in your relations with the County Council through want of touch between the two bodies?—Yes, we have been in conflict with the County Council several times. There is some tendency on the part of the Council to interfere a little bit too much with the local bodies. This very day—we are this very day in conflict. They propose to penalise us if we do not close our streets according to certain conditions which they can impose. We shall be obliged to fight them on that point in the House. We have deposited a petition against it, and other vestries have done the same. I can see no possible ground for that, because the vestries have no other object in view but that of the local interest. They are elected to look after that, and if any one amongst the inhabitants complaints, they can turn them out at the next election or whenever the time comes, and it is manifest that they must be more acquainted with the localities than the County Council can possibly be.

11,949. Has that been discussed in your vestry in the presence of Lord Monkswell?—No, our meetings are on Tuesday at five o'clock; it is only rarely that his Lordship can come. The County Council meet at three o'clock, and the meetings really clash on that day.

11,950. (*Mr. Smith.*) And the London ratepayers are spending money fighting this question between their two governing bodies?—It is a point on which a good deal of friction occurred in 1889. Under the Local Government Act we applied to the County Council to take over the main roads in Chelsea in common with other parishes in London which they had power to do. After prolonged discussion the County Council declined to take them over. We feel now that it is rather bad form for them to go to the Council against the local authorities when the Council decline to contribute towards the cost; if the County Council took them over and bore the cost of the main arteries of traffic the vestry would be satisfied. There has been a tendency to interfere in matters, rather unworthy of a dignified body like the London County Council.

11,951. The question of the main road was rather a question of the local authority interfering with the County Council in asking them to pay part of the expense which the local authorities ought to pay?—The Act of Parliament in the counties is of very general application; if the Act of Parliament was passed there is no reason why London should be exceptionally treated in the matter.

11,952. (*Mr. Smith.*) May I tell you by way of example, that Birmingham never made any claim on the county for main roads. We considered them inconsistent with urban authority, and never made any claim for main roads at all?—Of course there might have been special reasons.

11,953. We do not generally give much away, but we gave that?—You will not find many local bodies who do that. You must have been very magnanimous in Birmingham, I think.

11,954. (*Lord Farrer.*) Will you take any part with regard to the Council's Building Bill?—I wrote to Sir Charles Dilke and Mr. Whitmore to ask them to support Mr. Howell's motion to-day. They are again, however, rather forcing our hand. I think the Vestry would support the Bill when they see what it is. They have not seen the revised Bill yet, but the second reading has been carried; and really the time for lodging petitions has elapsed. I wrote the County Council, and was told they were considering it; I asked for the revised Bill, and they said it was not ready, notwithstanding this we have never seen the revised Bill. We have not been able to lodge a petition against it.

11,955. The Bill is deposited, I think?—When it was deposited it was considerably criticised; it was announced that it would be greatly modified, and we thought it was no use considering a Bill which was to be amended in that way. That is why we we think that this Bill ought to be carefully considered. It is a Bill which is of immense importance in London; it affects immense interests; and the Council have nothing to gain by it. I do not see why they should rush it. I think the local authorities, speaking generally, are as anxious as the County Council to see that the building laws are administered properly.

11,956. You do not see your way to avoid collisions and extensive conflicts between the two bodies by

having some members common to both?—I think this is what we would like to have in the case of the building Bill, we do not propose to take all power from the County Council; but if we have each local authority administering those Acts, questions will arise of a serious character, and it will be necessary to appeal, and therefore we ask that the County Council shall be the authority to appeal to. That is all we ask the members of the County Council to assume, not that they shall be bothered with the details of the Building Acts as they are now. Let the local authorities be the authorities administering these Acts, the district surveyor to be appointed by them, and when an owner is dissatisfied with anything we do, let him appeal to the Council. It will have this effect. There may be special circumstances where it is desirable that the County Council should interfere where buildings in the two parishes come too close together, and in those cases we think it certainly desirable that the County Council should deal with any appeals; and we wish them to have this power, but that they should not be saddled with all the multitudinous details which might very well, and with great advantage, be delegated to local bodies. There are one or two other matters that we think ought to be handed over to us. For instance, the licensing of cowsheds and slaughter-houses. We have our own Medical Officer of Health and Inspectors of Nuisances. It is work which is germane to that of the public health; and we think that might very well be given to us. We think that the administration of the Vaccination Acts should be given also to the local authorities. And also the registration of births, deaths, and marriages; because that is another matter which affects the public health. Another matter in the parish has shown the need of the Medical Officer of Health having some control over hospitals, and that is the death-rate; so we think that would be of very great importance to us.

11,957. (*Lord Farrer.*) Not from the Council?—No, my lord—from the Board of Guardians direct to local authorities. It affects the public health. It would separate it from the poor law. The Vaccination Acts—that is provided for in our scheme. Then we think also with regard to the suppression of disorderly houses that we have a little difficulty upon that point. At the present time the responsibility rests with the Vestry—we have to get up our evidence on disorderly houses. The Police Commissioner gives some assistance; he does not give all the assistance needed, nor full assistance to secure a conviction. We can get plenty of policemen; but he cannot always let us have them for watching disorderly houses. Personally, I think at all events, that the local authorities should have the right to demand that the police should render assistance in the prosecution of disorderly houses. I might mention the Thames River (Prevention of Floods) Act—the duties under that Act might very well be transferred to the local authorities, because in Chelsea we are a riparian parish, and we could look after that very well. The County Council is now the authority to serve notices for the prevention of floods. Of course that affects the Thames Conservancy to a certain extent, but I think we are concerned in it; it is a matter directly concerning Chelsea.

11,958. (*Chairman.*) You are a riparian parish, but you are not much exposed to flooding from the Thames, are you?—Well, the County Council serve notices to comply with, but it is a very rare occurrence now,—very rare.

11,959. (*Lord Farrer.*) The function of the County Council there is to prevent the water breaking in—to keep the walls continuous?—Yes, we say that we could look after that very well. It is mentioned in our scheme also about small open spaces; we think we could very well take over those to a limited extent and by arrangement with the County Council, their owners.

11,960. What small open spaces have you in Chelsea?—The Embankment Gardens—probably about six acres; then the Royal Hospital Gardens and Burton's Court, but they are under the Government.

11,961. And would you be glad to take them over and bear the expense of doing so?—Not entirely; those are metropolitan matters; we say the County Council would have to subsidise us; it being a county charge now we should have to have some contribution from the County Council.

11,962. Would you pay a part of the expense?—I think the vestry would be willing to, speaking generally.

11,963. (*Chairman.*) Is it not the fact that at present the County Council manage the trees on the river side of the Embankment, and the Vestry the trees on the other side of the walk?—That is so; you can always tell between the trees—there is a difference in the cutting of them.

11,964. (*Lord Farrer.*) They prune them differently?—Yes. On that very point again, pursuing argument a little further, in fact the Council did ask some time ago whether we were willing to water the bridges for them; we could do them cheaper than they could, because we have all the apparatus there. Well we said we should have to charge them for it, and they did not ask us to go any further. I really think we should be able to do it more economically than they. The circular part as well as the roadway is vested in the vestry, and the north footway; but the south footway and the parapet wall belong to the Council, so it is rather divided there.

11,965. (*Mr. Holt.*) Do the Council water the bridges or not?—Yes, they do.

11,966. It is not only their duty, but they do it?—Yes.

11,967. (*Lord Farrer.*) Have they a special water-cart for each bridge?—There are two bridges altogether—three really; Chelsea Bridge which is outside our boundary, Albert Bridge, and Battersea Bridge. I expect they will have one cart for the three, when they have emptied their cart they have to come back.

11,968. (*Chairman.*) They go through Battersea Park, which is their property?—Of course the parks; in a case like Battersea Park I think that would be too large for a local body; a large park like that would be an essentially county matter because you would want a large staff. Another point we might ask for would be under the Infant Life Protection Act—the baby farms.

11,969. That is at present done in the City by the City authorities, is it not?—I cannot speak for the City but in the County of London it is done by the County Council.

11,970. Done by the County Council outside the City, and inside the City by the Commissioners of Sewers or the City?—I do not deal with the City, but outside the City.

11,971. (*Mr. Smith.*) It would be rather interesting if you would ascertain that. There is a number of those things that you might have a precedent for in the City?—Yes, I will.*

11,972. (*Lord Farrer*) It is worth while your looking through those things, certain things which the Council do outside the City which are done by the City Corporation or the Commissioners of Sewers inside the City?—You mean the City Commissioners of Sewers; we are for all purposes analogous to the Commissioners of Sewers, that is our position.

11,973. (*Chairman.*) Did you make a definite offer in money to the County Council when you proposed to assume these labours for them,—a quotation?—As regards the scavenging we would make nothing out of it, cost price, it would entail additional work to us, we would require more water-carts, we not only included that but scavenging, sweeping as well.

11,974. (*Lord Farrer.*) Did they ask you what cost price was?—Yes, and we could not tell. We

* *Note.*—The Infant Life Protection Act is administered in the City by the Common Council.

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would charge what it cost. We are almost entirely direct employers of labour, and have abolished the contractor. We should have been happy to have done it, and I think the Vestry would still be so. I say those sort of things would be better done locally, because you have all the materials at hand, but we do not include in that the construction and formation of bridges, because that of course would be a county matter; but the cleaning of them—the scavenging of them, if I may say so—is a matter that would be better done locally. Then another thing; we ask that the registration and inspection of common lodging-houses under the Act of 1851 should be transferred to the local authorities; at the present time that is done by the police. A step in this direction was made under the Public Health Act of 1891 by transferring the powers as to smoke nuisance. We have now the supervision of chimneys smoking, and offences under the Act with regard to smoke nuisances; but this part about the inspection of common lodging-houses still rests with the police in London. We think our sanitary inspector, going about as he does now,—although next door to him there may be a nuisance, he has no power to interfere,—would be best able to do the work. It would be better done by local authorities. We also ask that powers should be given to local authorities to provide for local markets.

11,975. (*Chairman.*) We should like to hear you upon that—what do you mean by that?—Well, small markets. Well, we have in Chelsea costermongers who obstruct the streets to a certain extent; we should like to have powers to provide markets on a small scale.

11,976. (*Lord Farrer.*) Allow me to go back to lodging-houses; are you aware that there is negotiation going on for the purpose of transferring that inspection of lodging-houses to the County Council?—To the County Council?

11,977. Yes?—We do not want that.

11,978. Are you aware of that?—Yes, I have seen that there has been some correspondence. Whether it will come about I do not know, but it seems to me it would be a step in the wrong direction if it were to be given to the County Council.

11,979. (*Chairman.*) About the local markets?—Some years ago we had a scheme proposed in Chelsea. A Bill was proposed to establish a market South Kensington way. What we say is this. It would be a great convenience for local purposes if there were a market on a small line, more especially to get rid of those costermongers; they would not be in the streets at all; the streets would be clear, and they would be able to transact their business without obstructing the public streets. Of course there are other things—the wholesale markets.

11,980. Do they exist at all in Chelsea?—No, sir, there are none.

11,981. No, I mean those costermongers?—Yes, there are a good many of them in Chelsea.

11,982. Just outside in St. George's, Hanover Square, are there not some?—Yes, and in King's Road on Saturday nights especially.

11,983. The flower people?—Yes, the tradesmen I think object to it; but I do not hear any strong complaint about it. On the other hand, I think there are some who say it brings them business, but on the question of traffic it would clear the traffic a little.

11,984. (*Mr. Smith.*) Is there not some general law which prevents markets being established in London?—I believe the City claim to set up markets under some old Charter.

11,985. (*Lord Farrer.*) They do not act upon it?—I think the City claim it.

11,986. (*Chairman.*) Your suggestion of having a power to establish local markets in Chelsea would not, I suppose, go to the length of supporting the notion that the market at Billingsgate is to remain under the local authority in the City supposing they became a district council?—Well, sir, what we say as to that particular market I should say is this, with the very purpose of keeping this one common to the whole metropolis it ought to be dealt with by the county authority; that is our view, and so far as regards Billingsgate of course that would be, I think, the thing which ought to be retained for the larger authority; it would be a market for all London.

11,987. You would not call that a local market that the City might be allowed to retain supposing the government of the City were fundamentally changed?—I can hardly say that you would, sir; it would seem to me to be a county market.

11,988. (*Mr. Smith.*) You would want practically to be able to put in force the powers of the Markets Act?—Yes.

11,989. To establish a local market?—Yes.

11,990. You could not establish a franchise market unless you had got a franchise?—No, sir. Then another point that we think might very well be done is this: We do occasionally require to close or divert a street. At the present time the machinery is very elaborate, and it is very expensive. You have to get a local justice to go and view it—two justices—and then it has to come to the Quarter Sessions. Now we think that all that might be avoided. As our Chairman will be a magistrate himself, we think an additional importance will be given to it if those functions of the justices are transferred to the local body absolutely, and that it should not be necessary to go further; but of course on that point I think it will be necessary, probably, to impose some restriction as to the majority by which it should be carried. I should hardly think, however desirable it might seem, unless there were a substantial majority of the Vestry in favour of it, that it should be carried. I mean a majority of two or three; it ought to have a two-thirds majority to divert a road.

11,991. You are asking there for a power which is not possessed by any Corporation in the country?—At present the Corporation have to go to Quarter Sessions every day.

11,992. It is one of two subjects upon which I have to send counsel over to Warwick to the Quarter Sessions if I want to close a road?—Yes.

11,993. I had to do it a year ago. I wanted to close a street for the purpose of building a new hospital?—Yes.

11,994. Some towns—one or two—have got over it by a special Act, but you are asking something which is not possessed by any Corporation in the country?—The Commission would consider that point, but I do not wish to ask for anything that is unreasonable.

11,995. It is time you were ahead of us in some thing; I do not object to you getting it?—Perhaps we might lead the way. We ask you also. I might mention in Chelsea we have gone ahead of what is perhaps the strict law; we have established a labour bureau in Chelsea; in fact we were the first to establish it. It has been in existence for several years. If we were asked to define strictly whether it is legal or not, I think it would be rather difficult to answer. If the Vestry could be empowerd to establishe a labour bureau, we think it would be a very desirable thing, because it acts as a register between workmen and employers, and in that way it is a good thing, we think, for the district. Another thing I may say on the same point as regards labour bureaux, the Vestry are now proposing to pay 300*l.* a year from the rates in order that they may have a member on the governing body of the South-Western Polytechnic. It is also doubtful there, whether it could support it by legal authority, and inasmuch as a Polytechnic is obviously a matter of public interest, if the law could be amended so as to allow a thing like that, I think it would be very beneficial.

11,996. You want an omnibus Bill, I think?—Well, I have not done with the County Council yet, but the powers I have sketched out would be left for them; there would be the main drainage, the bridges—that is to say, the construction—the fire brigade, parks, appeals under the Building Acts, water, gas, main street improvements, including completion of

Thames Embankment. That is a matter as to which we have a grievance with the Council; that is a matter which would also include the formation of such roads as the Charing Cross Road, and such large matters of that kind, the Thames Tunnels, reformatory schools, lunatic asylums, licensing of hackney carriages. That, I believe, is now possessed by the boroughs in the country.

11,997. Yes, it is?—We say the Council ought to have that, and tramways.

11,998. And artizans' dwellings?—I have only sketched out main matters.

11,999. Artizans' dwellings are very important?—They are very important in London.

12,000. What do you say to valuation and assessment?—We say they ought to have a general control but not to overide the local authorities; they ought to be a consulting body. *Mr. T. Holland.* 5 April 1894.

12,001. You have a pretty good programme?—It could be developed further.

12,002. (*Lord Farrer.*) General markets?—We contend the County Council ought to have general markets. I will be happy to inquire in the city as to the practice on the Infant Life Protection and any further matters.

12,003. (*Mr. Smith.*) I think we have cleared it up; I think we have got it here.

The witness withdrew.

Adjourned till to-morrow at 11 a.m.

TWENTY-FIFTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 6th April 1894.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

MR. ANDREW GORING PRITCHARD, Secretary of the Municipal Corporations Association, called and examined. *Mr. A. G. Pritchard.* 6 April 1894

12,004. (*Chairman.*) You are the Secretary of the Municipal Corporations Association?—Yes.

12,005. Would you tell us with what authority you appear here, whether on your own account or as their representative?—I have not had an opportunity of consulting them, therefore will you kindly consider my evidence as my own personal experience and views.

12,006. (*Lord Farrer.*) What is that association?—It is an association of all the municipal corporations of England and Wales, and their object is to watch over legislation, and to take action if they see that their interests or privileges are interfered with, and also to move in the direction of obtaining amendments of the law which they think beneficial.

12,007. When you say "municipal," does that mean town councils, or does it mean other bodies also?—It means—we have considered it to mean—all the towns governed by the Municipal Corporations Act and the City of London. The City of London is a member of our association.

12,008. (*Chairman.*) Is it a voluntary association?—It is a voluntary association, and not incorporated in any way.

12,009. (*Mr. Smith.*) Perhaps you would tell us, Mr. Pritchard, how many corporations there are represented in your association?—About 235.

12,010. Out of a total of?—I think there are about 50 more very small ones. There are two large ones that are not members, but there are about 50 that are not members.

12,011. With the two exceptions that you mention, you include all the great municipalities of the country?—All.

12,012. (*Lord Farrer.*) Not, of course, any sanitary authorities or local boards of health or authorities of any kind which are not corporations under the Municipal Corporations Act?—No, corporations alone.

12,013. (*Chairman.*) Now, will you tell us the particular points upon which you are prepared to give evidence?—The points upon which I was asked to speak were, first of all, with regard to the advantages of an annual election of one third of the councillors as against a triennial election of the whole body. Of course you are aware that under the Municipal Corporations Act the annual election prevails. I think it has this advantage: there are not so likely to be sudden changes in the policy of the council, and as a town council has to work out—to execute—the law, not make the law, it is, I think, desirable that there should be a uniformity and continuance in the policy of the council. It should also be observed that where you have the annual election the new members have an opportunity of learning their duties by mixing with the other councillors and aldermen, and so become more efficient members for carrying out their duties. In fact, they are educated up to the post. There is this disadvantage, too, in regard to the general election at the end of the three years, that there is always a tendency in the last year for very great economy; the service is rather starved, and payments are sometimes postponed to the following year, so that they might show a better record when they go for re-election.

12,014. The whole body is animated by electioneering motives?—The whole of them, rather.

12,015. (*Lord Farrer.*) You speak of that as what is likely to happen?—Well, not unlikely; it has constantly been suggested that it has happened, but I do not know of my own knowledge that it has.

12,016. The corporations which you represent have all of them the annual election of one-third?—I was only referring to school boards and other bodies, where they do have the annual general election.

12,017. (*Chairman.*) The triennial general?—The triennial general election.

12,018. The same phenomenon is to be observed in the House of Commons?—Ah, yes; but there you make the laws.

12,019. No, but I mean in the way of economy?—Economy, yes.

12,020. Appealing to the electors on the last session?—Yes, quite so. I should also state that this

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annual election of one third has now been in existence more than 50 years; it has worked well, and I have heard no complaints, and I think I should have heard, as I am generally the receptacle of all complaints. There are two slight disadvantages that have occurred; one is that the annual election is rather more expensive, and another disadvantage is the necessity of having three members, or multiples of three in each ward, and we find it very difficult sometimes to apportion our numbers to the different wards.

12,021. (*Lord Farrer.*) Do you think that if it were proposed to alter the plan in municipal corporations, there would be resistance to the proposal?—I certainly do.

12,022. (*Chairman.*) On the part of the members of the corporation?—Yes, I think on the part of the members.

12,023. And you would not speak so authoritatively on the part of the electorate?—Well, my experience has been more with the members than with the electorate; I think the members would be opposed to it.

12,024. (*Mr. Smith.*) You never heard of any demand for such a change?—No, I never have.

12,025. (*Chairman.*) No member is predisposed to a change in the method by which he is elected?—No; possibly that may be one reason.

12,026. (*Mr. Smith.*) Unless it ensured greater permanence?—I think that is all I have to say on that question.

12,027. Before you leave that, perhaps it may be well to deal with these questions separately. I noted what you said about corporations being administrative rather than legislative bodies, but that remark is equally applicable, is it not, to school boards and county councils?—Certainly.

12,028. Do you know from your great parliamentary experience what influenced Parliament in making this change?—I think it was the question of expense.

12,029. (*Lord Farrer.*) Expense?—Yes, expense; I think that weighed considerably with Mr. Ritchie in passing the Local Government Act of 1888, and he went so far as to require all the elections to take place on the same day as the municipal elections, and we had great difficulty in inducing him to alter the day. Fixing the two elections, one for the County Council and one for the town council, on the same day, was very confusing, and he ultimately altered the day.

12,030. (*Mr. Smith.*) Although you have no Metropolitan experience with London vestries, you know that they are elected on the one-third annual system?—Yes.

12,031. Like guardians?—Guardians are elected annually, unless the Local Government Board otherwise order.

12,032. And guardians of the poor, which are now to be the district council, they are to be on the one-third annual system?—They will now be elected for three years, but one-third will go out of office annually.

12,033. So that the only experiment with regard to triennial elections has been made with school boards and county councils?—County Councils, yes.

12,034. And of course as you know the great question of London was rather tacked on to the Local Government Bill of 1888, and London was treated as a county without perhaps quite so much consideration as we should have wished attached to it?—Very likely.

12,035. (*Lord Farrer.*) It is suggested on behalf of a triennial election of the whole number that it creates a greater popular interest in the matter, and consequently that you get the opinion of the people better expressed than you do by the annual election of one third?—I can quite understand that that is so, but whether it is altogether desirable for the body that has to do a particular duty which Parliament has set, that they should have those violent changes is, I think, very questionable, notwithstanding the advantage of its being more popular. On the other side you must consider the undesirability of disturbing a course of action that has been adopted by the Council.

12,036. (*Chairman.*) What do you mean by using the phrase "more popular" in that connexion?—Well, more popular, that is to say, that there is more excitement, and perhaps less consideration for the duties and the works to be performed by the members.

12,037. An appeal is made to the whole electorate under one system as much as under the other?—Yes, but then it is only piecemeal; it is tempered as it were with the two-thirds that remain in the Council.

12,038. Yes, but we are considering the question of the stir that is made amongst the persons electing; whether they pay more attention to it in consequence of the electing of the whole of their representatives every third year, or electing one third every year; the whole electorate is concerned in the matter in each case?—The whole electorate certainly, and I can quite understand that every third year there is more excitement and more attention called to the matter; but that would be merely to induce a different policy on the part of the Council, which is not perhaps always desirable—at all events not a sudden change.

12,039. Are you sufficiently acquainted with provincial municipalities as to tell us whether there is any defect of excitement in the November elections?—No, but I think from the newspapers that I constantly see, there is generally a considerable amount of attention called to the elections—of the one third.

12,040. Do you consider that extraneous questions or political questions are more likely to be involved in the election of the whole body every third year than in the partial election?—I am afraid politics have already too far gone in that direction; most of the town councils are now elected on party lines.

12,041. We had some evidence that in London, at all events, the vestries had not been elected on party lines?—Well, from my experience certainly not; but very little interest is taken in the election of the vestries.

12,042. It remains to be seen, perhaps, what would be the character of the elections under the new system?—Yes, I think so.

12,043. You will expect a considerable change?—I think so.

12,044. You consider that fundamental———the distinction between the election of the legislative and the administrative body?—Well, I think so, because in the case of a town council they have not to consider what is right or wrong as regards the law, but merely to carry it out. They are as it were a body of directors to execute the work which has been entrusted to them.

12,045. You are aware that under the constitution of the United States both branches of the Federal Legislature are renewed partially?—No, I was not aware of that.

12,046. One in thirds and the other in halves?—Yes, well I should be rather inclined to take the other side on that question. I think when it is a question of policy that it is better that we should have an entire change.

12,047. At one stroke?—At one stroke.

12,048. A change can be produced if there is a change of a real character in the sentiments of the electorate in two stages?—Yes.

12,049. Or three?—Yes.

12,050. (*Mr. Smith.*) I do not know whether you have sufficient knowledge of local matters to be able to give an answer to this question, but have you often noticed that what is a burning question one November may have altogether disappeared by the next?—Yes.

12,051. And some new point of departure arises upon which the election turns?—Yes, certainly.

12,052. Always leaving out of consideration the great political questions?—Yes.

12,053. (*Lord Farrer.*) Do you see any reason, independently of expense, why there should be one

rule in towns and a different rule in counties?—I do not, my Lord, and you have the vast experience of the towns which shows that the present system works remarkably well.

12,054. (*Chairman.*) Was it suggested that there would be very much actual difficulty in working an annual election in rural counties apart from the expense?—You might have some practical difficulties in adjusting your wards so as to get the three members, or the six members, or the nine members; they are not hampered by that difficulty by having the triennial election.

12,055. Apart from that, the movement of life in a rural county is not quite so vivid as in a town, if that was the argument?—Yes, feeling does run very high at the time of the elections in country places.

12,056. (*Mr. Smith.*) Was not this the feeling, Mr. Pritchard, that an annual election was not to be set in motion with gigantic machinery for a very small result, because after all, you know, a County Council does not control as a rule more than a threepenny or fourpenny rate, whereas the district council is the taxing and most important government body?—Yes, that is so.

12,057. That is, a man's sanitary authority in which he lives is much more important to him than the county in which he lives?—That is true.

12,058. (*Lord Farrer.*) What is the rule about elections for the sanitary authority?—Well, that will now come under Mr. Fowler's new Bill.

12,059. Will that be annual; that will be triennial?—That will be triennial.

12,060. What is it now?—It is triennial I think, local boards.

12,061. It is triennial?—Yes.

12,062. (*Chairman.*) One third retiring every year?—I am not quite sure.

12,063. I think so, subject to the possible alteration that may be made by a County Council?—I do not know.

12,064. (*Mr. Smith.*) The rural sanitary authorities which are the great bodies in the county, are in the same way renewed?—Every third year.

12,065. No, they are renewed every year, but they are entirely renewed every three years?—They follow of course the guardians.

12,066. (*Chairman.*) A different set of considerations, I think, was introduced when the school board system was instituted. Was not the triennial election of the whole body associated with the cumulative vote?—Only in London, I think.

12,067. It is in the country?—It is in London I know; I thought it was confined to London.

12,068. That practically secures a good deal of permanence in the composition if not in the individuals of your boards?—Well, I had not thought of the cumulative vote.

12,069. Now will you give us also your opinion as to the election of Aldermen?—With regard to the election of Aldermen, I am rather inclined to think that it is not desirable to continue the present system. Aldermen, should, I think, be elected, so as to secure experience and influence of a class which are not likely or might not feel disposed to put themselves forward for election, and it was not intended to increase the majority. It has been several times pointed out that the majority of a town council does not correspond with the majority of the electors.

12,070. That is, the majority of the town council including Aldermen?—Including Aldermen. Take, for example, a concrete case; say that you will have a council of 32.

12,071. That is not divisible by 3?—Pardon me. There are 24 councillors and 8 Aldermen. You may have 13 Conservative councillors and 11 Liberals. Say that it is the year for choosing one half of the Aldermen; say that the 4 Aldermen remaining are Liberals, the 4 and 11 are 15, they would elect the 4 new Aldermen, so that you would get a majority there of 19 as against 13 whereas the general body of electors would be of the other party. Now, if you were to take the same case and exclude the Aldermen, you would find that the 13 councillors would elect the 4 new Aldermen, so that there would 17 against 15, which would be better reflection of the feeling of the town.

12,072. (*Lord Farrer.*) As a matter of fact, are the Aldermen generally elected in municipal corporations for political reasons?—I am afraid it does go on those lines, my Lord, very considerably. I dare say there are many cases where an old member has been elected simply for the service that he has done to the town.

12,073. The majority increase themselves?—The majority increase themselves.

12,074. The political majority increase themselves?—Yes.

12,075. (*Chairman.*) You are aware that that has been made the subject of proposals in Parliament for alteration frequently?—It has.

12,076. And there have been three cases, I think, specially quoted illustrating what you say?—Yes.

12,077. Liverpool, Leeds, and Exeter?—Liverpool, Leeds—Exeter I did not know, but Leeds and Liverpool are the two converse cases in which the Liberals kept the Tories out, and *vice versâ*.

12,078 Your observation does not point to the abolition of Aldermen, but to their election by the elected councillors only?—I confess that I think the presence of Aldermen is most desirable; you secure old and influential men, and also men of perhaps a higher class.

12,079. (*Lord Farrer.*) Then you are in favour of the plan that is now adopted in all County Councils, where the elected members only choose the Aldermen?—That is so.

12,080. (*Chairman.*) That is the distinction between municipal corporations and County Councils; in municipal corporations the surviving Aldermen join in the election of their colleagues?—Yes.

12,081. In County Councils the elected councillors only elect the Aldermen?—Yes, and I am certainly in favour of the County Council in that respect.

12,082. Well now, there is a third thing to be suggested: you are starting entirely afresh, we will suppose, and you have a certain number of councillors elected, and they choose Aldermen to be added on to themselves; would you give the majority of the councillors so elected power of adding all the Aldermen. Take your case of 24; you might have 13 to 11; would you give the 13 power of electing all the 8, making them 21 really?—Well, I am afraid you would introduce complications by altering it; it would be adjusted in the future elections, but I should be prepared to give the majority the power to elect the whole of the number.

12,083. There are many plans, more or less intricate, by which the different parts of the elected councillors could elect Aldermen corresponding to their own members?—Yes.

12,084. (*Mr. Smith.*) But you think it fairer, do you not, that the Aldermen should not all retire at once?—Oh, I quite think so.

12,085. That to a certain extent controls the power of a majority for the time being?—That is so, yes.

12,086. (*Mr. Holt.*) Would you allow the Aldermen to be chosen from outside the councillors?—I think so.

12,087. They need not have submitted themselves to popular election?—Yes, because there are a number of gentlemen who would say, "No, I decline to go "through a contested election," and yet they would make very good servants of the town.

12,088. Does that not give though to politics, if there is a political election in the town council or in the council, a very much stronger position; they could fortify themselves by taking members from outside the council and so support themselves, whereas if they took them from the council they might be replaced by others of the other political persuasion?—That is so.

12,089. We have found that, I may say, work so in our municipality?—Yes, I think there is a general

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tendency to confine the election to the members of the council unless there are some special cases where they should go outside.

12,090. You are speaking, then, of the municipal corporations?—Of the municipal corporations, yes.

12,091. You are not aware of the practice in the County Councils?—No, I have not followed the County Councils at all.

12,092. I think you will find it is quite the reverse there?—Yes.

12,093. It is comparatively a new power?—Yes.

12,094. (*Mr. Smith.*) I think in Birmingham, you know, we have never elected an Alderman who had not previously been a councillor?—It is the practice.

12,095. (*Lord Farrer.*) It is the ordinary practice?—It is the ordinary practice to take them from the council.

12,096. (*Chairman.*) Was it so *ab initio* do you know from 1835?—I cannot say, sir; so far as my experience has gone it has been so.

12,097. It was the intention, I think, of Parliament when Aldermen were introduced into the composition of the body?—That they should go outside.

12,098. That they should be taken from without?—Yes, I think so.

12,099. I think the intention was that they should be taken from without?—Yes, I think so.

12,100. (*Lord Farrer.*) Do you know in the case of municipal corporations if those who are chosen from without are generally valuable men?—I could not give any instance.

12,101. You could not say that?—No, my lord.

12,102. (*Chairman.*) Well in your experience, you approve of the plan adopted in the selection of Aldermen in County Councils?—I do, sir.

12,103. As a great improvement upon the other, but you have a high opinion of the value of Aldermen?—I have.

12,104. Now will you tell us, Mr. Pritchard, something about the general organization of municipal corporations?—Well, the only other point upon which I am prepared to make any remarks is with regard to the question as to whether the chief of the permanent staff should be a permanent official, or whether he should be a paid official, as they have in the London County Council.

12,105. (*Lord Farrer.*) A paid member?—A paid member; of course you are aware that under the Municipal Corporations Act no councillor can be paid, and the only elected member that can be paid is the mayor, and the council have power to vote him a salary, but that is generally supposed to be for recouping expenses attaching to the office and not at all in the way of remuneration. I think by having a paid official you secure a more independent official, one who has not been elected by either party; he should certainly not take part on either side, and his advice will be of greater weight if he belongs to neither side. And I think also you are more likely to get a better selection if you have a professional. It is a great advantage to have the general body of town clerks to draw upon, rather than have to select one of the members elected not of course for that post but merely to represent the constituency on the board, moreover there is always the suspicion, if you appoint an elected member to a high office, of jobbery. I do not mean to say it occurs, but there is always the suspicion, and it is desirable to avoid that as much as possible.

12,106. (*Chairman.*) That is when the office is only coterminous with his position as an elected member?—Well, it is only a question of degree, but still I think it is so; it is liable to that suspicion.

12,107. Well, would you apply that to the House of Commons?—Well I do not think the salary of the Ministers is the real attraction to office.

12,108. But if the particular County Council we have under consideration were to grow in dignity so as to be in some measure approximate in dignity to the House of Commons, the fact that one of its members is chosen to a high official position whilst he is a member might be considered in that light?—Well, I have found the towns worked very well without the payment and I should like to see it continued.

12,109. (*Mr. Smith.*) Of course it makes some difference that in town councils the town clerk is not only the head of the staff, which is not the most important part of his work probably, but he is also their legal adviser?—Their legal adviser, and their negotiator; he is their man of business, he continues there, he knows all that has gone before, he is able to inform them of what occurred years ago, and it is a great advantage to the town to be able to fall back upon an old adviser like that.

12,110. (*Lord Farrer.*) Then supposing that you had ever so excellent a man in the position of a paid member he might, if he were thrown out at a following election, be lost to the council?—You might lose the benefit of his services; yes.

12,111. (*Mr. Smith.*) And then, Mr. Pritchard, attaching as you do great importance to the permanence of an officer, you are not likely to command quite the type of man that you would desire if you have somebody over him?—No, it is quite a chance; you may get a good man, but it is quite a chance whether you will get a good professional, useful servant.

12,112. (*Chairman.*) Do you not think, carrying your mind into the future, that the time might come when, though you had in the London County Council a paid member, serving as Vice-Chairman there would be under him a permanent official who would exercise a very valuable influence, and perhaps be the real mover?—A permanent paid official, and also a paid

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12,113. Political official?—Well, in that case a conflict of duties may arise; you had much better have your servant entirely independent of the body, you have greater control over him; you must recollect that in Scotland the position of a town clerk is even more independent than it is in England; there the office is a freehold, the town council cannot send him away.

12,114. (*Lord Farrer.*) Is that so in Scotland?—That is so in Scotland; the town clerk of Glasgow, I suppose, is one of the most important officials of the whole of Scotland, both as regards remuneration and position.

12,115. As matter of fact that is very much the case in England; the town clerk is not sent away?—Oh, that is so, I quite admit as a rule; I only know two cases, and they were in very small towns, where the council have behaved badly to their officials as regards dismissal.

12,116. Is there ever, do you know, a jealousy between active members of the council and the permanent staff?—There is sometimes a little, I think.

12,117. Not amounting to a serious evil?—No, I think not.

12,118. (*Chairman.*) You are aware that in our Parliamentary Government there is a political chief of an office, say the Home Secretary, and there is a permanent under secretary?—Yes.

12,119. Who has enormous power, and sometimes greater power really, in governing the administration of that office than the political chief, but the political chief keeps the permanent organisation in touch with the House of Commons—with public opinion?—Yes.

12,120. Also it is necessary to have a person of that kind and give him a salary in order to secure his attention to the matter to the extent that is required. Might there not work out in the County Council a very large range of business, so that it is necessary to have a paid member of the Council to keep the relations between the permanent staff and the passing body?—Well, I should be rather inclined to say that if it is found necessary in order to induce a man to devote a considerable time to the office that he should be paid, then it might be necessary; but until that time arrives I should be inclined to leave it as it is; I do not think you can quote Parliament as an instance for the government of a town; I think the functions are

very different and, of course, the importance is enormous.

12,121. The London County Council has a province under its administration?—It is true as regards London.

12,122. Perhaps you would put it in this way—that although natural forces may hereafter work out some such relation between a paid member of the County Council and the permanent staff under him; starting with a paid member rather gives a bias towards undue power on the part of that member, a diminished power, diminished responsibility, diminished importance on the part of the permanent staff?—I think that is very likely, sir.

12,123. (*Lord Farrer.*) And you think it very desirable that the head of the permanent staff should be a very important and a very responsible person?—I think so. Look at all the large undertakings, the London and North-Western Railway, and other large undertakings, they really are governed by their manager and their solicitor; the importance of those men is very considerable.

12,124. Do you think that placing a paid member of the Council at the head of the staff of the permanent administration would discourage the best applicants from applying for the permanent office of head of the staff?—Well, I think so, but of course that might be overcome by a large salary.

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12,125. But supposing the salary were a small one?—Then, of course, you would not get a first class man.

12,126. Supposing the salary were a thousand a year?—And a subordinate position, you would not get any of the first-class town clerks of England.

12,127. To take that position?—I am quite sure you would not. With regard to Scotch town clerks I should point out that they hold a judicial position as well as official post.

12,128. Are they magistrates?—No, but they act as assessors in registration questions, but I am not very familiar with their duties; I know there is a distinction.

12,129. (*Chairman.*) Have you anything to say, Mr. Pritchard, as to the committees of municipal corporations—the way they work?—I am afraid I am not sufficiently acquainted with these details; I see chiefly the mayor and town clerk.

The witness withdrew.

Mr. John Edward Smith, Clerk to the Vestry of St. Margaret and St. John, Westminster, called and examined.

Mr. J. E. Smith.

12,130. (*Chairman.*) You are vestry clerk to St. Margaret and St. John's, Westminster?—I am, sir.

12,131. How long have you held that position?—Ten years, sir.

12,132. Had you any previous experience in vestry office?—For five years I was at Chelsea, sir, in the capacity of assistant clerk.

12,133. What is the area and population of Westminster?—The area is 823 acres, the population, in round figures, is 55,500.

12,134. And what length of streets and what rateable value have you got?—There are 25 miles of public streets, sir, and the rateable value, in round figures, is 800,000*l.*

12,135. These parishes are only a small part of the ancient parish of Westminster, St. Margaret's?—That is so, sir, the ancient parish of St. Margaret's extended from Temple Bar to Knightsbridge.

12,136. To Paddington?—To Paddington.

12,137. But there has been a complete severance, and has been for hundreds of years?—Oh yes, sir, for many years; the records of our Vestry commence about 1585, the earliest minute-book was 1585.

12,138. What kind of records occur then?—They are exceedingly interesting; and they go to show the activity of the local governing body of that day as our own show a corresponding activity in this.

12,139. Can you give us some illustrations apart from Church work, what did the Vestry do?—Yes, there were very many matters over which they had control or exercised control at that time, although a large portion of their time was occupied in regulating the affairs of the Church; yet there were matters—regulating the supply of water, and in some respects as to the drainage of the place, as to ditches for instance, which were then the methods of draining, and communications with the highway commissioners; a little later on, in Charles' time they assisted the Commissioners of Sewers by getting out plans of the parish, they repaired the bridges and numerous things of that kind, sir.

12,140. Which Charles do you mean?—The first and second.

12,141. The work of the Vestry is now done under the Metropolis Management Act?—The Metropolis Management Act, The Public Health Act, The Housing of the Working Classes Acts, the numerous rating Acts, the Valuation (Metropolis) Act, the Sale of Food and Drugs Act, and many Acts of lesser importance, are all enforced by the Vestry in the parish, sir.

12,142. Do you work in union with St. George's, Hanover Square, in any way?—Yes, for poor-law purposes, and the guardians of the union appoint the Assessment Committee.

12,143. Poor-law purposes we may set aside?—Quite so.

12,144. But, apart from the General Assessment Committee, your organisation is quite independent, is it?—Well, it cannot be said that it is quite independent, sir, since the parish has to honour the contribution orders for the guardians for other poor-law purposes apart from assessment, but apart from poor-law purposes generally, it may be said that there is complete independence.

12,145. What does your Vestry consist of?—The Vestry consists of 4 *ex officio* members, sir, and 96 elected members, one-third of whom go out of office, or, at least, have up to the present time gone out of office annually.

12,146. After November what will it consist of?—There will be no alteration in the numbers, sir, so far as I apprehend the provisions of the Local Government Act.

12,147. Will there be any *ex officio* members?—Yes, there will be *ex officio* members but no *ex officio* chairman.

12,148. (*Lord Farrer.*) Who are the *ex officio* members?—The Metropolis Management Act describes them, my Lord, as the incumbent of the parish for the time being and the churchwardens.

12,149. (*Chairman.*) How do you manage to get four?—Because, sir, there are two rectors and there are two churchwardens who are *ex officio*.

12,150. There are only two churchwardens for the two parishes?—No, sir, there are two churchwardens for each of the two parishes, but it happens that one churchwarden in each parish is an elected member of the Vestry, so that there is one rector and one churchwarden *ex officio* in each parish; it is quite by accident; there might be six *ex officio* members, sir.

12,151. There might be six?—There might be six *ex officio* members, sir.

12,152. Is that a large Vestry for the work you have to do?—It is, sir. In some of the larger parishes, I think, where the population approaches a quarter of a million, they have but 120 members; 120 is the maximum, and St. James', which is a smaller parish, but close by us, across the park, has but 48 members.

12,153. Do you think 48 would satisfy you?—Well, I have no hesitation in saying, sir, that our present number of members could exercise jurisdiction over a larger area, and I have no hesitation in saying on the

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other hand that the business of the Vestry could be as efficiently conducted with a smaller number of members.

12,154. Are you free to express any view as to the expediency of joining St. James'—rejoining it to Westminster?—I have had no instructions from my Vestry upon that point, sir, but it is obvious that there are smaller parishes which might be with convenience joined, seeing the strides that have been made in recent years which render amalgamation in that direction desirable. There is the parish of St. James', which, I think, in point of area, is one-fifth the size of our parish; there is also St. Martin-in-the-Fields, which is a very small parish and has a very small population, and then there are those still smaller parishes which constitute the Strand District—they might at first sight be easily joined. I have had no opportunity of consulting the representatives of those parishes, but at first sight it does suggest itself to me, knowing something of it, that these parishes might very well be joined with the parish of Westminster—I refer to our own parish as the parish of Westminster.

12,155. Yes?—They might very well be joined and form one area for any new local government scheme that might be considered desirable; but I should leave St. George's, Hanover Square, out of that, sir.

12,156. You think the ancient parish of Westminster, extending, as you say from Temple Bar up to Kensington Palace, would be too big for one area?—I do now, sir, it would include the parish of St. George's, Hanover Square, which was originally taken out of St. Martin's.

12,157. It would include St. Martin's and the Soho parishes?—Yes, sir.

12,158. And St. Clement's Danes, and St. James', and St. George's, Hanover Square?—Yes, sir.

12,159. And your existing parish; that would be too big for advantageous administration?—Yes, sir; you will notice that I omitted St. George's, Hanover Square, from the parishes which I named just now, because I find on making a cast of figures relating to our own parishes, to St. Martin, to those parishes which form the Strand District, and to St. James' parish, the figures of the whole would be roughly 1,438 acres in area, 120,000 in population, and 2,600,000*l.* in rateable value.

12,160. If that area is too big, the ancient parish of Westminster, if you had now to deal with it in first hand, would you cut it up into two or three?—Speaking offhand, sir, I should say I should only divide it in two, and I should accomplish that division by adding something, some small parish, to St. George's, Hanover Square, which is already very large, and then amalgamating these smaller parishes in much the same manner as I have suggested to the Commission, but I might readjust these figures somewhat. An alternative course might be to leave Westminster proper (*i.e.*, the parish of St. Margaret and St. John) as it is, and to unite into one local government district the small parishes now forming the Parliamentary borough of the Strand. The relative acreage, population, and rateable value, according to the County Council statistics for 1893, would then be—

	Acreage.	Population.	Rateable Value.
			£
The present Strand District -	167	25,107	489,689
St. James, Piccadilly - -	162	24,993	725,748
St. Martin-in-the-Fields -	286	14,574	476,807
	615	64,674	£1,692,244
St. Margaret and St. John, Westminster - -	823	55,500	£780,000
St. George, Hanover Square -	1,119	78,364	£1,848,823

The local government areas would then correspond exactly with the Parliamentary boroughs and the County electoral divisions.

The close of St. Peter should, in my opinion, be added to the area of the sanitary authority of Westminster. At present it is entirely outside their jurisdiction, so that the board of guardians have to perform the duties of the sanitary authority, and to appoint a medical officer of health and sanitary inspector expressly for that small area.

12,161. Do you mean with reference to the other scheme that you would run St. Margaret's, Westminster, up to Temple Bar, and then take St. James', Piccadilly, in?—Something of that kind might be desirable and easily workable.

12,162. Would you favour a suggestion for uniting Westminster and Chelsea?—No, sir, because St. George's parish would intervene; there is a sort of isthmus, as it were, the St. George's parish running between Westminster and Chelsea, which would entirely separate the two.

12,163. You are not prepared to suggest the cutting-up of that parish in order to make that union?—No, I think not.

12,164. Looking at that map, you see the re-created Westminster; do you think that would be convenient, it includes Chelsea, you see, and St. George's, Hanover Square?—No, I do not, sir. The Commission will observe, sir, that there is an isthmus formed in the new site of Westminster in order to carry that into effect.

12,165. Like a pair of dumb-bells rather?—Very much like it, sir. It would simply transferring to the proposed new Westminster, sir, that which already exists in St. George's.

12,166. But although you would not advocate that change, you think it is quite possible that it might be expedient to unite Westminster to St. James', Piccadilly?—Oh, yes, sir, and to possibly some of the other parishes; but I do not recommend it.

12,167. Possibly St. Martin's?—Yes, sir.

12,167*a*. (*Lord Farrer.*) To the Strand Union?—Yes, and to the Strand Union, and to St. James'. St. James' is such a small parish, there are only about 120 acres, I think, I have the figures; St. James', Piccadilly, has only 162 acres, sir; the population is only 24,000.

12,168. And that would give you a tolerably homogeneous area, from the boundary of the parish of St. George's eastwards, as far as the Temple?—Not quite so, my Lord; there would be an intersecting piece of St. Martin's.

12,169. St. Martin's you do not take in?—St. Martin's, no, my Lord, and that was what was suggested to my mind the necessity, if any combination of these parishes of Westminster was contemplated, of uniting St. Martin's-in-the-Fields and St. James' together in circumstances, because there is a very long, narrow stretch of St. Martin's parish which runs on the south of St. James', and extends right away to Buckingham Palace; part of Buckingham Palace is in St. Martin's Parish.

12,170. (*Chairman.*) The two parliamentary divisions of the Strand and Westminster together?—That is exactly it, sir.

12,171. That is exactly what you propose to unite?—Yes.

12,172. How often does your Vestry meet?—Fortnightly, sir.

12,173. At what time?—At four o'clock in the afternoon, except once a year, sir, when they are bound by their local Act to meet before noon.

12,174. How long does the sitting usually last?—I should say on the average an hour and three quarters or two hours; the committees sit also fortnightly, so that every week in the year is occupied with sittings, generally three or four a week.

12,175. What are the hours of sitting of the committees?—They assemble at 4, sir, and their business usually occupies about an hour and a half.

12,176. Four o'clock is the regular hour, both for the Vestry and committees?—Yes, sir.

12,177. Have you anything to tell us as to the relation of your local authority to the County Council?—So far as the applications under the Building Acts are concerned, sir, where building owners wish to project their new buildings or their altered buildings beyond the general line, there has been a very strong desire on the part of the County Council to consult the views of the local authority and to adopt those views as far as it has been possible, with the result, sir, that with reference to that class of business bringing the two authorities together, the very large majority of the decisions of the Council have been on the exact lines suggested by the local authority. That has always given our Vestry satisfaction, but of course it bears evidence of the fact that those applications might as well have been dealt with by the local authority, as to have troubled the County Council with them, always provided that an appeal lay to the County Council in the case of difference on the part of the building owners who might be aggrieved by the Vestry's decision.

12,178. Does the County Council bring to the discussion of those questions any experience from other parts of the metropolis adjacent or not, which is especially valuable, and which the Vestry would not have?—Not so far as I know; of course I am not able to say what transpires at their Building Act Committee, but the circumstances of Westminster almost stand alone; I do not know of any other parish which would be similarly situated in regard to the height of its buildings or to the extreme value of the land rendering it necessary to carry the buildings high; the conditions of the City might be somewhat similar and probably are, but further outwards I cannot imagine that the conditions would in any way resemble those of Westminster.

12,179. (*Lord Farrer.*) Just before you leave the buildings; your suggestion is that that business should be placed entirely in the hands of the Vestry, with an appeal to the County Council?—I do not go so far as to suggest it, but it is only right that the attention of the Commission should be called to the frequency with which these decisions by the central authority agree with the views of the local body that this Commission might think fit to note the points, if it is of sufficient importance.

12,180. (*Chairman.*) There would be a saving of time and trouble if it were given to the Vestry directly, with a power of appeal, which would be rarely exercised; that is your view?—That is so, sir.

12,181. (*Lord Farrer.*) Are those questions raised in the Council's Building Act, of this session?—I am not at all sure that they are, my Lord. The Commission will understand, I dare say, that there is no obligation upon the Council to consult the local authorities at all upon this matter. The Metropolitan Board of Works did so invariably, and the County Council have continued that practice as a matter of courtesy. They notify the local authority that an application has been made by a building owner to alter, or at any rate to project his building in that particular manner, and afford the local authority an opportunity of expressing their opinion; they might, if they chose, deal with it without so consulting them.

12,182. (*Chairman.*) Are you acquainted with the Building Bill of the present session?—I cannot say that I have closely studied it; it is a matter which the Parliamentary Committee of our Vestry referred to their surveyor, and that being so, I confined my attention to things affecting my own department.

12,183. Well, then with respect to loans?—In the matter of loans, sir, the requirements of the Vestry have been treated with admirable care and expedition, and with due care to the convenience of the local authorities.

12,184. The County Council has never hesitated to grant a loan which has been applied for?—Well, I cannot say that, sir; but they have called upon us for information, and have at times appeared to show that they were advancing the loan upon the security of that particular property about to be purchased with the money, rather than upon the security of the rateable value of the parish; but they were points that ought to have been raised in every case where proper investigation and care is exercised, and the County Council have shown in their different departments a willingness to be convinced and to be satisfied, and we have never had any loan refused.

12,185. (*Lord Farrer.*) You have always borrowed your money from the Council; you have not only come to them for leave to borrow but you have borrowed from them?—Yes, since 1868 or 1869, no loan has been obtained elsewhere than at the Metropolitan Board of Works or at the Council.

12,186. (*Chairman.*) And you have never discussed the expediency of going outside the Metropolitan Board of Works or the County Council?—Not of recent years, sir, not since the Metropolitan Board of Works got its first Loans Act.

12,187. Now what are the relations between you and the County Council with respect to the drafting of byelaws?—Such as seem to show, sir, that the County Council are desirous of ascertaining the local feeling and studying the local convenience as far as possible. The Vestry in my parish have always been consulted and have been afforded opportunities of suggesting modifications and extensions and alterations whenever the County Council has been drafting byelaws for the metropolis at large.

12,188. Are any members of your Vestry members of the County Council?—One, sir.

12,189. Have you any opinion as to the expediency of putting the Westminster members of the County Council on your Vestry *ex officio*?—I think it would be very desirable, sir; it would be a means of bringing the two authorities into closer contact. The qualification of the member who is at the present moment upon the Vestry, will cease in a very short time, so that the direct touch which exists at the present time will unfortunately be severed.

12,190. He will cease to be a vestryman?—Yes, sir.

12,191. I thought they had abolished under the new Act almost all qualifications?—That is so, sir, but unfortunately the member I refer to is removing from the parish entirely within a short time, so that he will not be eligible in November for election if he should be asked to stand.

12,192. And the County Council representatives of Westminster would be welcomed by the Vestry?—Yes, certainly, sir; I think that if the member for the division were *ex officio* a member of the Vestry, it is very probable that the Vestry would instantly pass a resolution appointing those gentlemen members of all the committees *ex officio*, in order that the members of the Council might have an opportunity of knowing all the details of the parochial administration.

12,193. Is this gentleman, who is at present a vestryman and a member of the Council, able to give full time to both offices?—As matter of fact—Sir Walter De Souza is the member referred to—he attends the Works' Committee, of which he is a member, and the Vestry meetings with remarkable regularity.

12,194. You have much the same good word to say of the County Council with respect to the Assessment Committee?—Yes, generally speaking, sir, the parish has derived advantage from the action of the County Council in the matter of the assessment. What appears to be the anxiety of the County Council to meet the views of local authorities on that matter must have been patent to every representative who had the opportunity of attending the Conference which was conducted by the County Council for, I think, just a year with a view to obtaining an amendment, a practicable amendment of the Valuation Act. I think the County Council not merely consulted

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the local authorities, but conceded to them points which the Council considered of importance in order that agreement might be arrived at with the view to getting uniformity and fairness by this new Bill which is before the House.

12,195. There has been a very satisfactory temper shown in the conference between the representatives of the two bodies and differences have been arranged?—Yes, that is so, sir.

12,196. A joint conclusion arrived at?—Oh, yes, a joint conclusion, with the result that the Bill which is now before the House, I think, is properly described as being a Bill agreed upon by the rating authorities or the representatives of the rating authorities of the metropolis.

12,197. You have a bailiff at Westminster?—The high bailiff, yes, sir, he is the officer of the old Court of Burgesses.

12,198. No relation to the Vestry?—No, sir.

12,199. (*Lord Farrer.*) The Dean appoints him, does he not?—Yes, the Dean is the High Steward. There is a deputy High Steward and other officers appointed under an Act of 27th Elizabeth.

12,200. He has no duties except as acting as under sheriff, has he now?—In the matters of Parliamentary elections.

12,201. He is returning officer?—He is town clerk for the purpose of the Election Acts.

12,202. (*Mr. Smith.*) That is the High Bailiff?—Yes, sir.

12,203. (*Chairman.*) Have you any feeling as to the alteration of the style of the title of your Vestry, giving additional dignity to the Chairman of your Vestry?—The opinion has been several times expressed among members, sir, although not by any resolution of the Vestry, that the title of the Vestry has had its day; that the duties now have so little connexion with ecclesiastical matters that some other title for the local governing body might be found with advantage.

12,204. District Council perhaps?—Yes, I am not aware of any objection that would be raised, so far as I have had the opportunity of hearing opinions expressed.

12,205. Is there any desire to be constituted a municipal corporation?—That question engaged the attention of the Vestry in the year 1888 and again in 1889. They passed resolutions in favour of the application of the Municipal Corporations Act to Westminster, so far as might be possible. They referred the question to one of their committees—I forget which now, sir, and the committee saw at once when they approached the question that there were difficulties in relation to police, and to the fire brigades, and to other matters. The result was, that as there was then a talk of the amendment of the local government of the metropolis by a Bill to be brought before the House shortly, that the Vestry then adjourned the question *sine die*, and it stands so adjourned.

12,206. When they looked into it they thought it expedient to drop it?—Well, the difficulties seemed to be insuperable in a metropolitan parish where it must of necessity be, that matters like the police, and like the main drainage, and like the fire brigade system and other matters, must be governed by a central authority.

12,207. Apart from the creation of Westminster into a municipal corporation under the Municipal Corporations Act, would it add to the dignity, the individuality of Westminster, if its chairman of the district council were called its mayor?—I think it would decidedly, sir.

12,208. (*Lord Farrer.*) I suppose you would think that that would stand or fall with the suggestions that you have made for increasing the boundaries of Westminster, or at any rate for making the district somewhat larger?—There is no doubt that would be so, my Lord.

12,209. (*Chairman.*) What have your relations been with the County Council with respect to street improvements?—Very unfortunate. In that matter there has been a wide difference between the Vestry and the County Council. The Metropolitan Board of Works until the time of its extinction invariably contributed half the cost of the improvements carried out by the local authorities. As the Vestry had opportunities then, they invariably seized them and widened the streets.

12,210. I suppose the Metropolitan Board of Works looked into the character of the improvement?—Oh, certainly, and always viewed the sites of the improvement by their own committees.

12,211–2. The result was that they almost invariably contributed one-half?—Yes, almost invariably, sir. The County Council also continued to view the sites after the Council was created, but in every case considered the improvement to be of a local and not of a metropolitan character, so that the total cost of the improvements which were then contemplated and carried out fell upon the parish. Consequently the Vestry was very chary afterwards in undertaking any improvements, and it may be said that, with one or two exceptions, they have carried out no improvements since that, except with the assistance of the freeholder of the site. It has happened that in the majority of cases those freeholders have been the Ecclesiastical Commissioners. Where they have been satisfied that the street improvement was likely to be for the public advantage, they have given the freehold upon certain conditions, those conditions, to put them shortly, being that the Vestry acquired the leaseholds and carried out the works. With that assistance, sir, the Vestry has been able to carry out several important street improvements in recent years.

12,213. (*Lord Farrer.*) Have the cases in which the London County Council have refused their assistance been cases of the same kind in which the Metropolitan Board of Works had given it before?—Oh, entirely so. One improvement particularly struck the Vestry with an impression that it had not been so closely considered as other local matters are considered by the County Council. That was a scheme for widening the Great Western road by adding to the public highway a long stretch of the park extending from Prince's Gate to the western extremity of Kensington Gardens, against Kensington Palace Road. The Vestry approached Her Majesty's Office of Woods and Forests upon the subject, and proved to them the congested condition of the traffic owing to the narrowness of the street, and the Government Department ultimately consented to surrender a long strip of 14 or 15 feet wide within the limits I have described.

12,214. Of the park?—Yes, of the park land. It had to be surrendered under the Sign Manual of the Queen, and the Vestry was to carry out the works. The works were extensive; they were estimated by the Vestry surveyor to cost over 5,000*l.*, and the whole arrangements were completed, so far as negotiation with the Government Department was concerned. Then we went to the County Council with the plan, giving the notice that had been customary in the case of the Metropolitan Board of Works, and said, "We propose "to carry out this improvement, the estimated cost of "the works, the land being given by the Crown, will "be 5,000*l.* odd. Will you assist us with the contri- "bution, having regard to the fact that it would "be an important widening of the main western "approach to the metropolis." But we were unable to get any assistance.

12,215. (*Chairman.*) That is a portion of your parish which is completely separated from the rest?—It is by the little isthmus of St. George's to which I have just referred, sir.

12,216. And a greater part of the portion is really the park as far as area goes?—That is so, sir.

12,217. You say that the County Council made the difficulty; was there not a difficulty in Parliament about that question before?—I think not, sir; all that I remember of the proceedings in Parliament was that a question was asked as to the widening of one of the approaches to the gates there, sir. It was urged that the gate was insufficient for the traffic, and the Vestry,

after communications from the Office of Works, consented to carry out the widening which was then proposed.

12,218. I thought before the County Council came into existence there was a proposal to make Kensington Road straight instead of the curve which it now has in front of the Albert Hall, which would take away a part of the park, and the House of Commons showed a restive temper and would not stand it?—It may have been at that time, but it certainly was not the restiveness of the House of Commons which prevented the improvement.

12,219. That is the same proposal in substance?—In substance the same proposal, and the preliminaries had been arranged with the two Departments of the Government, the Office of Works and the Office of Woods.

12,220. Subject to the approbation of Parliament?—I am not quite sure that the approbation of Parliament was required in that case; it may have been so, sir.

12,221. It could not have been done without an Act of Parliament?—Well, I am not in a position to answer that question; I thought that the Sign Manual would have expedited matters.

12,222. (*Lord Farrer.*) The widening of the road at Knightsbridge is not in St. Margaret's, is it?—If you mean by St. George's Place, it is not, except to a very small extent.

12,223. That is St. George's, Hanover Square?—Yes, it goes just up to the parish boundary; a small piece of the road is affected, but not of sufficient importance to notice.

12,224. (*Chairman.*) Well, what was the ground taken by the County Council with respect to this matter; you applied to them for a contribution to this 5,000*l.*?—Yes, sir.

12,225. What reply did they make?—I do not recollect the specific terms of the reply, sir, but it was dealt with, with a number of other improvements which were contemplated about that time, and one reply was accepted as applicable to the whole: that they were not metropolitan improvements, and therefore the County Council could not contribute.

12,226. You would look upon that rather as a main road?—Certainly, sir.

12,227. And you have been disappointed in respect of the action of the County Council with regard to other roads that you regard as main roads?—Yes, with regard to Whitehall, Victoria Street, Vauxhall Bridge Road, and the Westminster portion of the Kensington Road. The Vestry thought that they were entitled to some consideration owing to the traffic from other parts which went over these roads; they sent them in a schedule to the County Council in 1889, with a view to their being recognised as main roads, and with a view to the Council making a contribution towards the cost of maintaining them, but they have been disappointed in that too, sir.

12,228. Has not the County Council some direct connexion with the Millbank Road, which is in St. George's, I suppose; is it not?—The County Council has no connexion with the Millbank Road in this parish. It may be different in St. George's.

12,229. Does it take care of the Embankment?—No, sir; the whole of the Embankment, Grosvenor Road, and the thoroughfare extending from Abingdon Street to our boundary at the King's Scholars' Pond Sewer are maintained by the Vestry.

12,230. And the river wall is?—Yes, I think I may say safely the river wall, but there may be some exceptions to that. I know at times when it has been found that the wall was in a decayed condition the County Council have served the Vestry with notice to repair the wall under the Rivers' Prevention of Floods Acts.

12,231. And the Vestry have done it?—Oh, yes. There was a piece of the river wall at the roadway, which is by the boundary of St. George's and Chelsea parishes, which was under the control of the Office of Works for many years before the Chelsea Embankment was constructed; that may be, perhaps, what is in the mind of the Chairman.

12,232. Further on, you mean?—Yes; just by the western side of the Chelsea Suspension Bridge.

12,233. Near the Grosvenor Road Station?—Just beyond the Grosvenor Road Station, sir.

12,234. What direction has your Vestry taken with respect to the electric lighting?—They considered the schemes very carefully when they were first proposed, and ultimately gave their consent to the applications of the two Companies for Provisional Orders.

12,235. I see your Vestry passed a resolution when they heard that you were coming to give evidence here?—Yes, it was upon the second question named in the letter from the Secretary to the Commission, sir; the Vestry passed this resolution: "That this Vestry is of opinion that no "scheme for the amalgamation of the City and "County of London will be satisfactory to the rate-"payers at large which does not preserve to them a "similar measure of direct control over their local "affairs to that with which they have hitherto been "entrusted, and which they have exercised with due "regard to the peculiar capabilities and requirements "of each locality."

12,236. (*Lord Farrer.*) You have no direct connexion with the City, have you—with the City Corporation?—No, my Lord.

12,237. (*Chairman.*) The Vestry therefore unanimously desire to retain the powers they have?—At least, sir.

12,238. Are there any other powers which they think might be given to them which are at present vested in the County Council?—Well, I do not quite know about the powers that are vested in the County Council, but we are certainly desirous, first of all, of obtaining other powers. The Vestry would direct their attention first to the powers which are exercised by the local Commissioners of Baths and Washhouses and Public Libraries; and the Burial Board. They have in fact asked the Member for the borough to introduce a Bill in the present session, with a view to transferring the duties of those bodies to the Vestry, because they are satisfied that in the present condition of the public mind, institutions and establishments which necessitate an expenditure of a large sum from the parochial rates should be entirely governed and managed and controlled by bodies directly responsible to the persons who pay the rates. In the case of the Commissioners it is not so; the Vestry think that the whole of such local bodies should cease to exist, and that the Vestry should be the one—by whatever name it might be known—should be the one controlling local authority for every purpose except Poor Law.

12,239. (*Mr. Smith.*) Education?—I am omitting altogether education and police, and things that must obviously be controlled by some central body.

12,240. (*Chairman.*) But you would make the administration of the baths, washhouses, libraries, burial boards, all branches of your own work?—Certainly, sir.

12,241. Although you might perhaps appoint, for the purpose of carrying out these particular functions, some persons from outside on the committees?—I do not think the Vestry would seek that power at all, sir. At the present moment the Baths Commissioners in this parish are only seven; that is the maximum number that can be appointed under the Act. The probability is that if the duties of the Commission were transferred to the Vestry the Vestry would appoint a committee of 24 members, and require that committee to present periodical reports to them, so that the Vestry would have certain opportunities at regular fixed periods—and of course at other periods that they might direct—of looking into the management of the general administration of a large sum of public money.

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12,242. And you think that there would be so little probability of their appointing any persons from outside, in conjunction with their own members, that they would not even ask for the power?—So far as our Vestry is concerned, sir, I am sure that they would not wish for the power.

12,243. And would the same thing apply to the libraries?—In the libraries there have been, sir, within the last 10 years, two gentlemen appointed who were not members of the Vestry, but only two in the 10 years.

12,244. Yours is about the oldest free library in the metropolis, is it not?—It is so, sir. Then there is another matter in our parish which is peculiar, I think, sir, to it. There is no other parish in London to which the same observation applies, that is, the management of its own municipal buildings, if I may use the expression. The Parochial Offices in Westminster commonly called the Town Hall—are constructed under the Parochial Offices Act of 1861, by the overseers of the parish, the churchwardens being *ex officio* overseers as well. The consequence is that the Vestry have no manner of control over the buildings, and they have themselves to pay 300*l.* a year for rent for their office accommodation and their rooms for their board meetings, committee meetings, and generally for the transaction of their business. That, the Vestry think, is a duty that might be transferred to the local governing body whatever it might be called hereafter.

12,245. At present it is vested in the overseers?—In the overseers, sir, under the Parochial Offices Act of 1861.

12,246. And the rent is paid to them?—Yes, sir, and it is carried to the credit of the poor rate.

12,247. (*Mr. Smith.*) Have they power under that Act to build a town hall—the overseers?—Well, it was looked into, sir, at the time the consent of the Local Government Board was asked, and the Local Government Board saw the necessity, I think, for a room in the parish at which the parishioners could meet for certain elections, and for the discussion of parochial matters, so they granted the appropriation of the parish stock—which was a certain amount of stock invested by the parish at the time—they granted the appropriation of that money upon the understanding that the hall was to be built primarily for the use of the parishioners, as indeed it is used.

12,248. (*Chairman.*) Have the other town halls in the metropolis been constructed in the same way?—I know of no other case; to the best of my belief, sir, they are all constructed under the Metropolis Management Act.

12,249. Chelsea, Holborn?—Chelsea, I know, sir, was constructed under the powers given to the Vestry under the Metropolis Management Act.

12,250. (*Lord Farrer.*) Yours is an excellent building, I think, is it not?—I think I may say so from the extent to which it is used. It is constantly in use for various purposes.

12,251. (*Mr. Smith.*) It must be a source of income sometimes, I should think, is it not?—It is, sir; the whole of the expenses are paid; that is to say, the expense of maintenance, repairs, lighting, the rates (which are heavy—I think the rates exceed 300*l.* a year), and the whole thing is paid for out of the receipts of lettings, and the balance at the end of the year is carried to the credit of the poor rate. The balance is not large; as the Commission will understand, there are heavy expenses for cleaning and that sort of thing, but even so after all those expenses are paid, the balance is paid to the relief of the poor rate.

12,252. (*Chairman.*) What other duties do you think you should have that you have not at present?—The Vestry could very well deal with the building applications which were mentioned at the opening of my evidence, sir. They could also deal with the licensing of cow-houses and slaughter-houses, and with the licensing of dealers in game subject, of course, to an appeal to the County Council in case of difference; and they could supervise the action of the district surveyor whose duties are very closely defined up to the present time; and there are other things I think—well, the Weights and Measures Acts were previously controlled by the local authority in Westminster—that is the Court of Burgesses— until 1888; they are duties which might be performed by the local authority, sir.

12,253. (*Lord Farrer.*) Have the weights and measures been controlled by the Vestry—by the High Bailiff, was it not?—By the Court of Burgesses; it was the last duty that remained to them; it was taken from them under the Act of 1888.

12,254. Is there not a certain convenience in having so important a thing as the weights and measures managed by one central authority all over London?—I cannot imagine the convenience, sir; I can see the very serious inconvenience of people from Westminster having to go to the Edgware Road or Tottenham Court Road or somewhere thereabouts for getting their measures stamped and their weights and balances tested and approved; whereas they could always get it done here in the locality.

12,255. Take, for instance, coal; has there not been a great improvement made by so powerful a body as the London County Council taking it in hand and insisting upon the Act being thoroughly carried out?—I would venture to say, sir, that the local authority would have applied the Act in relation to coal with equal vigour at least.

12,256. If it had had the power?—If it had had the power. The Commission will recollect the large powers given to the local authorities under the Sale of Food and Drugs Act, which is an exceedingly important Act. Of course I should like to say that if these powers were given to the vestries I should not for a moment object to there being a provision for the exercise by the County Council of those powers in default, and at the expense of the local authorities if they failed in their duty.

12,257. (*Mr. Smith.*) And of a certain power of supervision?—Oh, certainly.

12,258. (*Chairman.*) And of laying down bye-laws?—Yes, certainly, sir.

12,259. (*Lord Farrer.*) I speak from old recollections at the Board of Trade, but then, I remember, there were great evils in many parts of England from the superintending of weights and measures having got into the hands of small local authorities, who neglected their business, and it became a matter of importance that the rules with respect to weights and measures should be uniformly applied, and that could, of course, be better done by a large authority exercising jurisdiction over a considerable area than by a number of smaller authorities?—Well, I could not quite admit that, my Lord; I would admit that byelaws might be advantageously made by the central authority and that the duty of enforcing them should be entrusted to the local authorities, they being subject to supervision and liable to bear the expense and the opprobrium of the County Council coming in and performing those duties if the local authority failed.

12,260. Then, of course, there is the further question of enforcing the Act stringently against local people?—I do not think there would be greater difficulty in that than there is in enforcing the Public Health Act against local people. At the present time that Act is enforced by residents against residents, and enforced as far as our parish is concerned now, very vigorously.

12,261. (*Chairman.*) Does it not depend upon the size of the area of local administration?—I do not think any difficulty would arise there, sir; in a large parish like Camberwell, or Kensington, or Islington, or St. Pancras, I should say the local authority could administer the Weights and Measures Acts quite as well as the County Council.

12,262. Those parishes are big enough, but you would not, perhaps, have the Vestry of St. James, Piccadilly, administering the Weights and Measures Act?—Well, I confess, with regard to St. James' and St. Martin's, sir, that it has always been a mystery to

me how the Legislature in 1855 sanctioned such small parishes for distinct independent local government purposes.

12,263. So it is a question of size—you may have two small an area. Westminster is an instance of what you think an adequate area?—I think so, sir. There are 18 or 20 smaller parishes than Westminster each having its own independent local governing system at the present time, so that we might take Westminster, perhaps, as approaching the average.

12,264. (*Lord Farrer.*) Then you are aware that the staff for the inspection of weights and measures requires some skill and knowledge, and that the County Council have now a very considerable staff which they are able to make use of more from place to place as opportunity requires?—Yes.

12,265. Men who learn their very skilled business very well; there is a certain advantage in that, is there not?—I am not prepared to say but what those men could as well learn their business in certain defined areas; at the present moment, sir, the County Council have to give them such large areas that they require conveyances, and horses, and drivers, and things of that sort, which must increase the cost of administration, and which expense would not exist in the localities at all. Provision might be made moreover, sir, for two parishes combining for the purpose of those duties in the same way as they have power to combine for libraries and other things, if it was thought that a parish was too small to undertake the work itself.

12,266. (*Chairman.*) Where does a small shopkeeper in Westminster now have to go to verify his weights and measures?—To the Edgware Road, somewhere, sir.

12,267. (*Lord Farrer.*) Does he go so far as that?—Yes, my Lord. There are other matters which might be with advantage transferred to the local authorities, my Lord, particularly with relation to the registration of births, deaths, and marriages, and the enforcement of vaccination. There is an opinion upon our Vestry that duties of that kind should be dissociated altogether from the Poor Law and from the union and persons connected with the union.

12,268. (*Chairman.*) Keep them separate; tell me why the registration of births, deaths, and marriages is unsatisfactory as it at present stands?—Because in certain cases the persons desirous of obtaining certificates and giving notice, and so on, have to attend at the office of the Poor Law Guardians, the Superintendent Registrar having his office there. There would be less objection if his office were not at the office of the Poor Law Guardians. Then, with regard to vaccination, the enforcement of vaccination is by an officer who is appointed by the guardians. It appears to be a matter, in the view of one of the vestry's committees at any rate, who were talking over the matter the other day, that matters of that kind might better be transacted by the municipal and sanitary authority of the district, by whatever name it might be called.

12,269. (*Mr. Smith.*) They must go together, must they not?—Not necessarily, sir; at the present moment the guardians have the appointment of the vaccination officer and the clerk to the guardians, I think, as a general rule, is the superintendent registrar.

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12,270. That keeps the two things in touch, does it not, rather?—I daresay there are advantages, but the communication, as between the registrar of births and the vaccination officer is a very simple matter at any time.

12,271. (*Chairman.*) That would bring the Vestry into relation to the General Registry Office?—Yes, I see the difficulty, sir, that the matter could be much more conveniently transacted in London than in rural districts outside, so that some special provision would have to be made as regards the metropolis if the idea were entertained.

12,272. (*Mr. Smith.*) You are aware probably that it rests with the poor law authorities all over the country even in large municipalities?—Yes, I am quite aware of that, sir.

12,273. You have omitted one little item which I have asked several witnesses about; such things—I think you have mentioned slaughter-houses, cow-houses, and dairies, have you not?—Yes.

12,274. As things that you might fairly take charge of?—Yes, certainly.

12,275. Subject to byelaws?—The Vestry already carry out the inspection of these places, sir, although they are, I believe, inspected by the County Council as well.

12,276. There is an over-lapping there?—There is an over-lapping there.

12,277. But you do not object to the byelaws being framed by the central authority, and the administration being carried out by you; that is what you suggest?—I do not think the Vestry would object at all. The Vestry of recent years have shown themselves willing to do whatever has been for the public advantage.

12,278. Licenses for petroleum, what would you say about that?—There would have to be byelaws to govern that, sir. The Vestry would be willing to carry it out if the byelaws clearly defined the point of inflammability.

12,279. Do you think you could carry that out more advantageously than the central body?—The Vestry have their own chemist, their own analyst; he would be at their command at once for the purpose of testing.

12,280. And you have your inspectors?—And the Vestry have their inspectors, who are trained and certificated men, having more or less a knowledge of chemistry; they are men of a much higher standard now than they were years ago.

12,281. But you would agree with me that generally it is undesirable to have two sets of inspectors running over the same district?—Most undesirable.

The witness withdrew.

Mr. George Whale, Clerk to the Lee District Board of Works, called in and examined.

Mr. G. Whale.

12,282. (*Chairman.*) Will you tell us, Mr. Whale, what is your official position?—I am clerk and solicitor, sir, of the Board of Works for the Lee district, which until last month was Plumstead district.

12,283. It changed its name?—It changed by statute—Plumstead parish being taken away, and the other parishes being left in the district.

12,284. What is now comprised in the district?—The whole of the parishes that were in the Plumstead district except Plumstead itself—that is the parishes of Charlton, Eltham, Lee, and Kidbrooke.

12,285. And Plumstead is made a district of its own?—Plumstead has the common powers of a vestry, sir, an administrative vestry under the Metropolis Management Acts.

12,286. (*Lord Farrer.*) When was that done?—That was done by the Metropolis Management (Plumstead and Hackney) Act, 1893, which received the Royal assent last September.

12,287. (*Chairman.*) Well, now, what are the characteristics of this district as it now stands?—In the first instance it was, until the separation, the largest in area of the whole metropolis. At the present time the area of the Lee district is in round figures 7,000 acres, and the area of Plumstead parish alone is 3,388 acres.

12,288. About two thirds you have retained?—We have retained about two thirds.

12,289. (*Lord Farrer.*) Woolwich is not a part of it?—No, sir, Woolwich is anomalous, it is under the

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Public Health Act, 1875, and you will find in all the Acts as to the metropolis, in and since 1855 constant exceptions and special provisions as to Woolwich.

12,290. (*Chairman.*) It is comparatively thinly inhabited still?—Well, the outlying portions of Eltham, sir, are; the population of the Lee district, exclusive of Plumstead, is about 44,000.

12,291. And Kidbrooke is thinly populated, is it not?—Kidbrooke is rather thin.

12,292. Open fields between Kidbrooke and Eltham?—Yes, sir, there are. But the district has grown considerably in population since it was formed. If you wish for any figures about it, they are at your service.

12,293. (*Lord Farrer.*) Growing still?—Yes. I can give you what the figures were in 1855, when the Act was passed, or rather the 1851 census. In the 1851 census the population of the whole district was 19,640.

12,294. (*Chairman.*) Does that include or exclude Plumstead?—Including Plumstead, sir. The population—including Plumstead again—in 1891, was 95,699.

12,295. Would you give the figures excluding Plumstead in each case?—Yes, I can do that, sir, in each parish separately.

12,296. No, the summation?—The population, excluding Plumstead, in 1851, would be about 12,000; the present population I have given you. It has nearly quadrupled, sir.

12,297. Now, how is your local board elected?—The local board is a district board under the Metropolis Management Act, 1855, and it consists of members elected by the various parishes. In a return which the County Council prepared, and which you may have seen, they set out the number of members for each parish. I daresay you will have that, sir. That applies, of course, to the whole of London.

12,298. And how many members are on your board now?—There were 57. The Plumstead members were taken away, and there are 33 left now.

12,299. Thirty-three are left?—Yes.

13,300. And how are those members elected?—They are elected by the various vestries.

12,301. It is a case of secondary election?—Secondary election yes.

12,302. How often are they elected?—One third go out of office annually, and the statute requires the election to be held on the first Wednesday in June.

12,303. Do the same members practically remain?—Generally so, but the new Act just passed may make a difference in that.

12,304. (*Lord Farrer.*) It does not alter the secondary election, does it?—No, my lord; it does not alter the secondary election.

12,305. (*Chairman.*) It may so alter the composition of the vestries as to produce another choice on their part?—It may, of course; it is purely a speculation. I cannot say.

12,306. Now, how often does this district board meet?—They meet once a fortnight generally, excepting the vacations, six weeks in the summer.

12,307. Where will you meet?—At the same place; we meet at Charlton.

12,308. Charlton is the most central place for you?—It has been, yes.

12,309. At what hour do you meet?—We have met at 6.30 in the evening, but I think they will now make it 7.

12,310. In the evening?—Yes, sir.

12,311. It is some distance from Charlton down to Eltham, the far end of Eltham; how do you get across?—The members drive across.

12,312. How many miles?—Varying distances, sir; some come two miles, sir, and some must come more.

12,313. Is it near the church, the place of meeting?—Close to old Charlton church.

12,314. And what are the functions of your district board, briefly?—Well, we have the same functions as administrative vestries and district boards of the metropolis. We look after the local sanitary affairs, the highways, the construction of sewers, other than the main outfall sewers of the Council; we enforce the law as to the adulteration of food and drugs, and enforce the Public Health Act of 1891.

12,315. What powers are left to the vestries?—Practically they are of no importance, in the Lee district, excepting the election of members of the district board. They nominate overseers, and I think custom entitles them to the choice of a churchwarden.

12,316. Have they anything to do with the roads?—No, sir, we are the highway authority; the surveyor of highways under the Highways Act, 1835.

12,317. The vestry functions are insignificant?—Yes; excepting, I ought to mention, that in some cases they have adopted the Baths and Washhouses Act, in which case they select the Commissioners. But the Commissioners are a distinct body.

12,318. Have you any view as to those Acts? Should they remain under the control of the vestries, or should your board really administer those Acts?—That depends upon the question of the size of the areas. I think the whole question of the areas wants to be reconsidered, sir. At present, you see, we have varying and overlapping areas for the County Council elections and for the district board elections. The Plumstead district includes part of three parliamentary boroughs, Woolwich, Greenwich, and Lewisham.

12,319. (*Lord Farrer.*) The Plumstead district?—Yes, my Lord. And the Lee district, too; because Eltham is still in the borough of Woolwich; the result of which is that we have no member on the County Council who is concerned with the district as a whole. If there were any matter at Eltham, we should go to the two gentlemen who represent the borough of Woolwich, and if it were at Lee we should have to go to somebody who represents the borough of Lewisham. I am speaking of the parliamentary borough. Of course, all that leads to great confusion sometimes—this overlapping of areas.

12,320. (*Chairman.*) Do you see your way to making any suggestion for curing that?—Well, the best way would be to have some reconsideration of the whole of the areas. In the past when that has been done, since 1855, it has always required a special Act of Parliament. As you are aware, there have been a few Acts as to Hackney, Battersea, and other districts, and that leads to some expense and a great deal of delay. The better plan would be, I should suggest, for the readjustment of areas to be subject to the control of the County Council with the sanction of the Local Government Board. There are a lot of very minute considerations on the question of these areas, very much more complicated than a redistribution of Parliamentary seats, that is, local complication.

12,321. (*Lord Farrer.*) There is some power for that purpose in the Local Government Act of 1888, is there not?—No, my Lord; when we wanted to separate Plumstead, we had to get a separate Act.

12,322. You could not act on the clauses in the Local Government Act?—No, I have known nobody attempt it.

12,323. They are very unintelligible?—Very unintelligible. I would suggest that the areas should be re-adjusted.

12,324. Would you suggest direct election to the district board instead of secondary election through the vestries?—If you had newly-constituted district boards or district councils, I assume they would be directly elected.

12,325. (*Chairman.*) Suppose we assume that the Parliamentary divisions were to remain unchanged—you would not get those so easily altered possibly?—No; I quite see that enters into the question of higher politics.

12,326. Then may we assume that the County Council divisions will follow the parliamentary divisions?—For local purposes, sir?

12,327. No; for the election of members of the County Council?—They do now.

12,328. May we assume that will continue?—Yes, sir.

12,329. How will you adjust your further areas so as to conform to those two permanent divisions?—It would be a very difficult question. I am afraid it would be hardly possible to make them exactly identical. In the case of the Lee district, the watershed—the levels, in the various districts are such that they do not fit in at all with political necessities or political regulations.

12,330. And the discordance must continue?—In some way or other, unless the parliamentary areas are also re-adjusted.

12,331. If you assume that that is for this purpose unalterable, then there must remain this discordance?—Well, I do not see that it should necessarily be as great as it is now; but to some extent it must prevail. At the present time, sir, you recollect that the areas and population vary infinitely all over London. There are some cases where the population of a parish or district is over 300,000, in other cases only about 30,000; and there are some cases where the area is nearly 10,000 acres, and other cases where it is only 162 acres. There are some cases where the vestry members may be 18 in number, and others 120. Much of that might be corrected.

12,332. Well, now, apply all that to your own particular case of this Lee district, what was the correction you would aim at if you had got a free hand?—Well, of, course, I have not consulted the Board as to what they would wish at all; but I think that some parts of the Lee district ought to be combined with Woolwich.

12,333. Yes?—Plumstead ought to be combined with Woolwich. I say "ought"—I mean to say I think it is locally expedient.

12,334. But not Charlton?—Well, I should say Charlton, too—yes, sir.

12,335. So as to have a riverside area?—To have a riverside area. Yes, sir.

12,336. And then the rest would remain one inland area?—Or perhaps with Lewisham. I do not know; they might go with Lewisham.

12,337. You would not then get any conformity to parliamentary divisions?—Not quite, sir. But Woolwich and Plumstead represent nearly the whole of the borough of Woolwich.

12,338. Have you any view as to what Lord Farrer was asking you about—the direct election of the members of the district boards?—As to my own opinion, I think it would be desirable, sir.

12,339. But it would be dependent upon this alteration of the area?—Yes, I think the two things should go together.

12,340. Have you anything to say as to the functions of the County Council within your area?—Yes, sir.

12,341. As to whether any of those functions could properly be allocated to the district board?—A great many of their minor functions might, I think, with great advantage. I have gone through this statement, which no doubt you have seen, which was presented, I think, to the Commission; it was printed by the County Council in July last, and I have put marks against several of the duties, which, as the result of my experience of the last 15 years, I think might with advantage be devolved by the County Council upon local authorities.

12,342. Will you briefly recapitulate them?—First of all, I think all duties as to common lodging-houses, contagious diseases (animals), explosives and petroleum; slaughter-houses, cow-houses, and offensive businesses; infant life protection, projections of line of frontage, dangerous and neglected structures, approval of plans for new streets, licences for temporary buildings, and for sky signs, shop hours, factories, and inspecting the sale of coal. These minor things I think you might

12,343. You think those might be given exclusively to the local authority?—Yes, sir; subject to this proviso, that I would allow the County Council to have the same control over them or most of them as it now has under the Public Health Act, 1891. Under that Act, as you are aware, if we do not do our duty the County Council can do it and charge it to us.

12,344. They can supervise the performance of these functions by you, and if you are in default they can step in?—Yes; and that would tend to a high standard of efficiency.

12,345. (*Lord Farrer.*) And you would give them power to make byelaws?—Yes. I am not afraid for my own district. It never has been necessary for the County Council to step in.

12,346. (*Chairman.*) Never has been, you say?—It never has been; I could not speak as to the future.

12,347. (*Mr. Smith.*) You would not object to the County Council on some of these subjects framing byelaws?—It would be very convenient if they would do so.

12,348. But the administration should be left to the local authority?—I think it would be better done. There is a distinct overlapping of duties.

12,349. (*Lord Farrer.*) Have you mentioned the Building Acts?—I was coming to that next. We have surveyors and sanitary inspectors of the Lee Board, and there are also district surveyors who are appointed under the Building Acts by the County Council. We approve of sewer plans. The Council approve of new street plans. We have to see that the level of the houses is right so far as concerns the public drains; and then the district surveyor comes in and sees that the house is built in an efficient way. We come in again, and see that the water-supply is right. The whole matter is most confusing now; and I would suggest that the whole of the duties should be combined in one surveyor, who should be the surveyor of the local authority, subject to the byelaws and the general control of the Council.

12,350. (*Chairman.*) There is much practical inconvenience at present, is there?—I think there is, sir; and certainly great confusion in the public mind. People do not know where to come when they want a house looked after. They have to write to the district surveyor, and builders hardly know what should be done.

12,351. (*Mr. Smith.*) Does it not involve the deposit of two sets of plans—one for drainage and one for building?—Yes.

12,352. (*Chairman.*) Where does the district surveyor live?—The district surveyor, I believe, is required to have an address in the district. Practically the district surveyor is not like the local board's surveyor, a local man, giving his whole time; he is generally a surveyor in practice in London who gives a small amount of his time to it, and he is not generally down there every day.

12,353. Where is his office?—It depends; sometimes in the City, sometimes in Westminster.

12,354. There is some regulation of statute, or of the County Council, that it must be in the district?—He has a local office for the service of notices; he has a clerk it may be.

12,355. (*Mr. Smith.*) He cannot be seen there every day of the week?—I would not say none of them; but, speaking generally, that is the practice. Whereas the local surveyor, appointed by the district board, gives his whole time to the duties, and of course is there always.

12,356. (*Chairman.*) In that case also you would allow a supervision by the County Council?—Yes; just as they have with regard to the medical officer. They appoint a medical officer, and if he hears of anything he writes to our medical officer. If our medical officer does not attend to the duties there are complaints.

12,357. (*Mr. Smith.*) You send returns to him?—We send returns to him; yes.

12,358. (*Chairman.*) You think, if there is any merit in uniformity, it would be secured sufficiently by byelaws under the authority of the County Council?—Yes.

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12,359. In the administration of these different functions?—Yes; and, if I may be permitted to say so, in some matters I think there is great merit—it is almost necessary to have uniformity. I could particularise several if it were necessary.

12,360. Give an illustration?—Well, take the question of nuisances arising from offensive matter being carried through the streets. It would be almost impossible for a law to be obeyed if one authority said it should not come after 6 in the morning and another said it should come after 9, and a man was driving through both.

12,361. (*Mr. Smith.*) He might be stopped at the boundary of one waiting for the hour to expire in the other?—Yes, possibly he might.

12,362. (*Chairman.*) Have you any suggestion to make as to bringing the County Council and your district into closer relations?—Well, if you had a re-adjustment of areas, I think the members elected for the County Council might also be members of the local authority. I think that would be very desirable. The old system under the Metropolitan Board of Works, indirect election, had no doubt some disadvantages; but it did very often secure the presence at the local vestries and districts boards of the members of the Metropolitan Board of Works; they were much more in touch with the work.

12,363. (*Lord Farrer.*) They selected the members of the Metropolitan Board of Works, and selected them from among their own members?—Sometimes amongst their own members, and if they did not they were always much more in attendance.

12,364. (*Chairman.*) I suppose now the Woolwich members of the County Council would be received favourably if they attended, even though the matter under consideration was outside Woolwich?—Oh, we we try to be as courteous as we can, and they do sometimes attend. As a matter of fact, Colonel Hughes, vestry clerk for Plumstead, was a member of the district board too, and he used to be there; Mr. Jolly was also a member.

12,365. (*Mr. Smith.*) Of course he would have no power to vote?—They happened to be members of the district board. We were very glad to see them. Mr. Lemon, who is a member of the Council for Lewisham, has come occasionally.

12,366. (*Chairman.*) You have not given them a general invitation?—Yes, we have, but they say they are so busy up at the County Council—the committees are so numerous.

12,367. (*Mr. Smith.*) They might be able to come if you took from them some of these small duties?—I think so.

The witness withdrew.

Mr. H. Andrews.

Mr. Henry Andrews, Clerk to the Strand District Board of Works, called in and examined.

12,368. (*Chairman.*) You are the clerk to the Strand Board of Works, Mr. Andrews?—I am, sir.

12,369. Will you tell us what your experience has been?—I have written it down, sir; I preferred to write down what I am prepared to say.

12,370. Well, will you repeat it; you are a solicitor?—Yes.

12,371. What practice have you had in that character?—I was admitted a solicitor in 1873; I practised in the country from 1873 to 1886, then I purchased a practice in London, and I came to London and became a vestryman of St. Clement Danes; subsequently I was elected a member of the Strand District Board of Works and a member of the Strand Guardians. On a vacancy happening in the clerkship of the Strand Board of Works, I was, in July 1890, appointed clerk of the Board, and have acted in that capacity since.

12,372. You have been for three years, going on for four years, clerk to the Board?—Yes.

12,373. Well, describe to us what the Strand Board of Works is?—It is one of 13 similar bodies in London carrying on the paving and sewerage of the district and the cleansing and lighting of the streets.

12,374. What does the district comprise?—Six parishes: viz., St. Anne's, St. Clement Danes, the Rolls, St. Paul's, Covent Garden, the Savoy.

12,375. It is not coterminous with the Strand Union apparently?—No, it is one of the most anomalous in London; here is a map which shows you the area of the Strand District. The parts coloured in different colours are the six parishes, and here you have St. Martin's parish coming in between St. Anne's parish and the rest of the Strand district.

12,376. (*Lord Farrer.*) St. Martin's not being a part of your district?—No, my Lord.

12,377. So that this comes in St. Martin's, this light yellow comes in in the middle?—Yes.

12,378. St. Paul's, Covent Garden?—That is in the Strand Union.

12,379. (*Mr. Smith.*) It (St. Anne's) is entirely isolated?—It is entirely. You cannot pass from the one parish into the other without passing through St. Martin's. When Mr. Fowler, the Secretary of State, saw it, when the question of betterment was raised in the committee on the Strand Improvement Bill of 1890, of which he was chairman, he made the same remark, that it was the most anomalous district he had ever seen. Then for the purposes of the Poor Law, St. Anne's is taken away from the Strand, and St. Martin's is put into it, and St. Anne's is joined to Westminster Union with St. James's Parish. The St. James's and the St. Martin's Parish with the Strand district form the Strand Borough.

12,380. (*Lord Farrer.*) The Strand Union consists of St. Anne's, St. Paul's?—The Strand District Board, my Lord.

12,381. St. Clement Danes, the precincts of the Savoy and the Rolls?—And the Liberty of the Rolls, which is up here in Chancery Lane.

12,382. St. Clement Danes, yes?—St. Clement Danes.

12,383. And St. Mary le Strand?—Yes, my Lord.

12,384. (*Chairman.*) What does the district board consist of in the way of members?—Forty-nine members elected by the several parishes in proportion to the number of houses in them at the time when the Metropolis Management Act, 1855, was passed; there has been no alteration since then, and the population is less than half what it was then.

12,385. Forty-nine members, and how are they elected?—By the several vestries.

12,386. (*Lord Farrer.*) What functions have the stries besides electing those members in the way of Local Government?—They nominate the overseers for the collection of the poor's rate, and they prepare indirectly through the overseers the jury lists; under the Highway Acts their consent is necessary to the closing of any public highway. I cannot remember any other civil duties.

12,387. (*Chairman.*) The Strand parliamentary constituency is pretty compact?—It is, sir, yes. It is the district which I suggest should form the district council.

12,388. The district of the district council?—Of the district council.

12,389. If you were dealing with it, instead of this district board of works which exists, you would have a district council coterminous with the Strand parliamentary division?—I think so, sir.

12,390. Do you think that would be acquiesced in by the two parishes which would form part of the district?—I do not know, there is more jealousy in vestries to preserve their old boundaries than in district boards, which are a modern creation and have no traditions attending them. It is possible that St. Martin's would raise a protest against it and possibly St. James'.

12,391. In that case, supposing there was constituted a district with a council of its own, the council would be directly elected?—I should certainly suggest so, sir.

12,392. You see no advantage from the indirect system of election to retaining?—I think it is wrong.

12,393. Is this council elected now in thirds every year?—Yes, one third of the members for each parish retire annually.

12,394. Is there much change in the composition of the Board?—Very little. In practice, until a member desires to retire, he seldom fails to get re-elected. There are members on the Board who have not attended for two years.

12,395. Is there much change in the composition of the vestries which elect the Board?—Very little in the central parts of London, with which I am acquainted.

12,396. Do you anticipate much change in consequence of the Act of last session?—I should think that it would affect guardians who had been elected by plural vote; I do not myself see why it should materially affect the vestries such as St. Clement Dane and those forming the Strand District, because it has been practically one vote, and I see no reason why the same people should not go to the poll.

12,397. It brings in some new voters, does it not?—A few women, including married women.

12,398. I do not know if there is any service franchise or lodger franchise?—There is not now.

12,399. Then that will be brought in?—Yes; I do not look forward to a material alteration in such districts as the Strand.

12,400. What are your relations to the County Council in your district board?—Very friendly, but, as you will see, from what I have said there, I consider that the control now existing of local bodies is detrimental to the public interests, and that it should not be continued. I give you there specific instances of why I think so. Those reasons which I have given there will have more force when, as I assume will be the case, the new district council will be elected in the same mode as the County Council, it will be a complete anomaly, and, as I point out there, control of one local body by another or by a Government department tends to lower the character of the people who come forward, to lessen the responsibility of the officials, and to lead to expense.

12,401. In your view whatever functions are entrusted to the district board the county council should have nothing to do with them?—I do not speak of the county council, I wish to speak of it absolutely in appreciative terms. I am speaking against control by either the Local Government Board or the County Council. The only form of control which I recognise as called for or effective is that the members should be elected annually, and that they should have complete control over their officers, and that there should be a central audit. That is the only form of control which I consider from my experience as a member and as a clerk is effective. The control which exists now tends to fall into the hands of clerks, it is not effective control even by the heads of departments it is impossible for the heads of departments to take up these matters. Specific instances I have written down there.

12,402. Well now the first illustration you give is the control in the way of borrowing money?—Yes.

12,403. Will you point out to us what that is?—I give there a case where a loan was applied for and granted, for paving works, granite paving works, repayable within the term of twenty years; the paving wore out, it was removed, wood paving was substituted, a fresh loan was obtained. It is certain that the second loan will be repaid before the first loan, and I consider that the second loan also will be repaid before the wood is worn out.

12,404. Well how would you have the period of repayment regulated in these loans?—By leaving each authority responsible for the raising of its own money in its own way. If, to put an extreme case, you have a local authority which has a wrong class of members in it, and a bad set of officers, and it chooses to borrow more than it can repay, that is between it and the people it borrows money from, and it will work its own remedy.

12,405. And its borrowers, do you say?—The people who lend it the money; but the system now of borrowing money from a central fund tends to lessen all responsibility.

12,406. Now, I wish to ask you this question: you are going to pave the Strand with wood; you are not going to pay it out of the income for one year; who is to determine the number of years for which the loan is raised?—The people to whom the duty is entrusted of paving the streets, subject, as I say, to a return to the electors every year, which will quickly bring its own remedy.

12,407. It might bring its own remedy in consequence of people finding themselves at the end of ten years with a loan scarcely at all repaid, and the work absolutely worn out?—Well, then, that would be the fault of the people who sit at home and do not go to the poll, and I say "Serve them right."

12,408. (*Lord Farrer.*) Suppose that the time were allowed to extend over a generation, then do not you think there might be a temptation to a local body to throw the debt forward upon posterity. People are very keen about what they have to pay, it arouses them immediately; they are not so keen about posterity, are they?—Yes, I think a sufficient number of people are; I do not think that that would be so; it would be so if you left them the uncontrolled power to borrow from a central authority, but if you compel them to raise their own money, to raise their own rates, they would be in the position of a gentleman who was in the possession of an estate, and found he had mortgaged it to its full extent and could not get any more.

12,409. (*Mr. Smith.*) But you are leaving out of consideration, are you not, in that case, unborn ratepayers, who will have suffered from extension, because they were not able to vote?—Well, you have now in its degree the very thing existing, you take Paddington, which has followed an excellent settled principle of never borrowing, I think I can say. I have not seen the accounts very recently, but substantially Paddington owes nothing; you get the other extreme at St. Luke's and find them with a debt—I had to get figures out once—I think I am right in saying of about 10*s.* in the pound of its rateable value under the existing state of affairs.

12,410. (*Lord Farrer.*) But you think you may perfectly safely leave to any local authority the power to pledge its rates for as long a period as it pleases?—If you fetter it, I call it fettering it, with the responsibility of being called to account yearly by the retirement of the whole body of members.

12,411. Let me put another point to you; would you, supposing the authority owned property, allow them to alienate that property without any control?—Certainly.

12,412. Would you allow any borough in the country which owned property to alienate its property without any control whatever?—Certainly, and I have not a doubt that it would work out satisfactorily; you would find the leading men coming to the front of necessity, as they ought to do.

12,413. That is not the policy which Parliament has pursued, as you are aware?—I come, sir, to give you my evidence to the best of my judgment as a former member, and also as a servant of the Board.

12,414. (*Chairman.*) You would carry this to higher bodies as well as apply it to your own; the County Council, for example, should be unfettered in its terms of borrowing?—I think it should be unfettered.

12,415. (*Lord Farrer.*) You are aware, or you may not be aware, that at this present moment there is a very elaborate negotiation going on between the County Council and the Treasury as to the period for which the County Council should be able to raise a

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loan for the purpose of building lodging-houses?—Yes, I do know that, my Lord.

12,416. Well, there you would oust the control of the Treasury altogether, and leave the Council to borrow for any period they think fit?—For any period they think fit.

12,417. For 100 years or 150 years?—Certainly, for any period that they can obtain the money for.

12,418. (*Chairman.*) You do not suppose that the lender would run any considerable risk, do you?—Yes, at a certain point; I certainly think a point arises as it does in the case of foreign counties at which they cannot borrow.

12,419. And it is the caution of the lender which would be the real control of the borrower?—Not only that but also the business capacity and the fortunate circumstance that people do right things oftener than they do wrong ones. I do not anticipate that difficulties would arise in practice; they seldom do amongst honourable people.

12,420. (*Chairman.*) Take as an illustration that a large Midland town which was about to erect a town hall obtained money by borrowing it, with a provision that it should be repaid in 500 years. Does not that strike you as a reason for caution in acting upon your principle?—I apprehend that such a point as that would never arise, you could not contract a loan for 500 years, you pay off from the necessity of things.

12,421. You could contract a loan in perpetuity could you not?—A loan in perpetuity; I have not the least objection to such a thing if the body thinks it a prudent thing to do.

12,422. You would rely upon the good sense of the electors who are at the bottom of it, and the resulting bankruptcy of imprudent conduct?—Certainly, and the fact that money would not be lent to authorities which were not in good repute.

12,423. That might not be found out before bankruptcy supervened?—In private loans there is is always a close inquiry and a valuation and grave consideration given to it before the money is advanced, and I apprehend that the same thing would apply to a loan where it was known that the sole guarantee was the credit of the local authority, and that no Government Department or superior authority, as now, in substance says that it is safe to advance the money.

12,424. (*Lord Farrer.*) You would yourself, I gather from this paper, not advise the contracting of a loan to last for a longer period than the work for the purpose of which it was contracted?—It would be wrong to do it, not merely wrong to do it, but wrong even to run it close.

12,425. (*Chairman.*) You apparently applied last year to the Council for a loan with respect to wood pavement, and you submitted that the wood would last from 8 to 15 years. But the reply was that the loan must be repayable in five?—I give that as an instance of how control by one body over another, necessarily, I imagine, tends to a hard and fast rule. It is remarkable if you go through London and look at the difference in the pavements and the length of life of them that all should be served alike as to the period for which they have to repay the loans. We find that in practice our roads last for eight years in the crowded thoroughfare of the Strand, yet we have to repay that loan in five years. Other local authorities find that the loan is for a proper period, because they lay their roads at a different expense and in a different way.

12,426. Then you have had a difficulty with the County Council as to closing the Strand?—Yes, a difficulty there.

12,427. Some two years ago?—Yes.

12,428. The year before last?—Yes.

12,429. You wanted to close it?—My colleague, Mr. Ventris, thought out a scheme by which the Strand could be closed in sections without disadvantage to the public; certain parts which we thought could not be closed we proposed to pave longitudinally in sections. The County Council replied that the Strand was such an important thoroughfare that they could not close it. Subsequently it fell to their lot, as having control of the bridges, to repave Waterloo Bridge. There they adopted a different policy and they closed that bridge, a thing which I think I am right in saying has never happened in the experience of London before.

12,430. They closed the bridge altogether?—Altogether; I do not say it was a wrong thing to do necessarily, but I say that it was not the same treatment as was meted out to the Strand District, and I attribute the difference in the treatment to the fact that in the one case the responsibility of paving it fell to the authority who had to decide whether it should be closed or whether it should not, and in the other you had two authorities.

12,431. Well, the result was then the County Council, being utterly uncontrolled, closed Waterloo Bridge entirely, to the great annoyance of people in the Strand?—I do not think that necessarily follows; it may very well be that a brief annoyance may be much better for you really than a long dragged along job. I think in that particular case seeing that the substratum of the foundation was right,—this I got from my colleague the surveyor,—that where the substratum of a road is to be laid, then you require, to produce effective work, that the road shall be closed, whereas in the case of the Waterloo Bridge, the substratum was in order, it could well have been paved by longitudinal sections.

12,432. Yes, but in accordance with your principle of allowing each authority absolute discretion about it you could not quarrel with the exercise of that discretion, however unwisely that was done?—I think I could quarrel with it.

12,433. You could go into a corner and express your opinion to yourself?—I think also if there were multiplied instances I should also vote and give effective expression to my expression to my opinion. I think it is a minor point, such a point as that. It is impossible for local authorities any more than individuals never to commit mistakes, if that is a mistake.

12,434. You have a further illustration of your argument in the exercise by the County Council of its power to make byelaws as to sewers?—Yes.

12,435. Will you explain that?—The County Council as the successors of the Metropolitan Board of Works have, under a section which I refer to there, which I forget at the moment, power to make byelaws as to the construction of local sewers. The Metropolitan Board of Works very fully considered that matter and presented a long report to the Board, and in the result no byelaws were made. I believe I am right in saying the County Council have also considered them and they have made no byelaws, certainly no byelaws have been issued up to the present time, though there is clearly the power to say how every sewer shall be made in London.

12,436. And the only form of control which you recognise is the annual election of the whole body that has the administration of these functions?—Yes, coupled with the central audit, to which I attach equal, if not greater, importance.

12,437. Why annually, more than biennially or half-yearly?—Oh, well, because a year is a customary period of time, and the member of the Common Council of the City of London are so elected. There is no particular virtue of course in a year any more than there is in a year and a day, only it is a customary period of time.

12,438. (*Lord Farrer.*) How often are the members of your board elected?—One third annually.

12,439. By a secondary election?—By a secondary election.

12,440. (*Chairman.*) How would you regard a power of veto, by popular vote intervened at any time?—Do you mean in between these short periods?

12,441. Yes?—Well, I do not see the necessity for it, it is such a very short period. The objection I should expect to be made, would be that it is too short, not that it is not short enough.

12,442. And about this continuous audit; who is to prescribe it?—I think that the Act which creates the future authority should do so—I have not thought out the details. All I suggest is, that it is of the utmost importance that the accounts of these local authorities, which I am suggesting should have such wide powers, should be audited, and it should be ascertained by an independent authority that they do in fact comply with the terms of the Act creating them. There is a good deal done now by the local authorities of London which, if it were to be tested, is beyond their powers.

12,443. (*Mr. Smith.*) Then it must be an audit with power to surcharge?—Certainly, with power to surcharge, and I suggest that the decisions should be published and properly indexed, and that the duty should be cast upon these auditors of making comparisons. I attach very great importance to the proper spirit of emulation between the local authorities; I consider it is very largely responsible for the excellent roads which exist in London. And the work which is now being done at the County Council by the statistical officer is very valuable; it brings before the local authorities figures which only skilled men could put into a form intelligible to ordinary people, and that duty I would cast upon the auditor in the future.

12,444. (*Chairman.*) And who is to prescribe the form of returns, and who will appoint the auditor?—That I consider is a matter of detail which should be given very grave consideration to. I give you an instance there of how a thing which, on the face of it looked very clear, has been read in two ways by people, I daresay, equally desirous of carrying out the Act. It fell to my lot to analyse the expenses of the different local authorities of London on salaries and establishment. I obtained the information from a return which all the local authorities have to make to Parliament, and the return is an identical form. When I worked it out I was struck with the low—remarkably low—expense on those purposes of the Lambeth Vestry. It was so low that I felt it could not be accurate; and I referred to another return which has also been made showing the salaries of the various officers of the local authorities, and I there found three of the officers of the Lambeth Vestry received more salary than was stated to be the whole expense of the salaries in that Parliamentary Return form the vestry. I do not suggest for a moment that there is anything wrong, other than that they have adopted a different form of making their return. They have probably apportioned to the various works some proportion of the salaries of the officers, and it has the result of giving a very false impression.

12,445. It has to be thought out, but what are your own suggestions as to that?—Well, I prefer in a matter of detail like that, which I have not thought out, not to express an opinion. I look upon it as a matter of detail which I should be prepared to think out; but I could not say, across the table here, what.

12,446. I thought you had gone into something more than matter of detail, that the whole of these local bodies are to be controlled by two things; First, the necessity of annual election, and, secondly, to put forward in a model form a statement of all their receipts and expenditure, and the audit thereof. If that is the second great essential to secure good administration, you must have some idea as to how it is to be worked?—Well, I should have thought that the principle consisted in the audit and the return, but if you think otherwise, sir, I am afraid I have to say that I cannot, across the table, suggest the details. It must be so minute that it would be impossible, in the case I have mentioned as to salaries, for any person who is not dishonest to put the payments to officers into another schedule. For instance: "Expenses of "salaries, inclusive of the salaries of all persons paid, "other than by weekly wages"—in some such way as that.

12,447. (*Mr. Smith.*) You would want in fact—it appears to me—an auditor who should be a first-class accountant, and who should also assume the qualities of a Judge of the High Court, because he would decide questions of fact and of law?—I apprehend that the auditors of the Poor Law Board have to be men of great ability, and I certainly think it would be an important office; that it would be impossible to have too important a man for the position.

12,448. (*Chairman.*) Would these auditors be nominated by the Imperial Government?—I cannot say that I have thought that out. They clearly must not be elected by the bodies themselves, as they are now by the vestries.

12,449. I see the population of the Strand Parliamentary Borough, which we have already agreed would be a suitable unit for local administration, is about 65,000?—Yes, sir, I have given the figures there.

12,450. But I think you said it had very much diminished?—And tends to diminish; it has diminished for the last four censuses, 1861, 1871, 1881, 1891. It increases in rateable value largely, and diminishes in resident population. But of course the Strand District comprises Covent Garden, which also increases yearly, and the persons transacting business in the district increase yearly.

12,451. You give a rough division of duties between local authorities and central authorities, perhaps you could state that so as to get it in evidence?—It is a very rough one; under local authorities, paving, sewering, (except trunk sewers), cleansing, lighting, and possibly sanitary work, and the central authority should carry out (amongst other duties) trunk sewers, bridges, metropolitan improvements, fire prevention, police, weights and measures, and the Food and Drugs Act now so imperfectly administered by some of the local authorities, the latter, I mean the Food and Drugs Act. In the case of one of the parishes which probably will form part of a new district it is absolutely ignored.

12,452. And weights and measures; that you give to the central authority?—Yes, that I put to the central authority.

12,453. Have you any special reason for that?—I think as to the Sale of Food and Drugs Act that in a small district a man gets known, and really it becomes difficult to carry out the Act. If the central authority carry out that work a man could be removed from district to district constantly.

12,454. (*Lord Farrer.*) It is a sort of police business that requires independence?—I prefer to give as my reason that a man becomes in a limited district too well known, my Lord.

12,455. (*Chairman.*) We have had some evidence from local authorities claiming that it is a proper function for local authorities to discharge; they, however, have had under consideration larger local authorities than you deal with. Would the question be determined by the size; is it necessary that it should be confined to the county of London, or would big districts be sufficient?—Seeing that you have such a large place as London to deal with, I think it is a pity not to avail yourself of the power to move officers about it constantly. Of course if you are a town like Birmingham, you must deal with the case as you meet it; you cannot do otherwise.

12,456. (*Lord Farrer.*) There is a danger, a possible danger, of some connivance betweeen the small tradesmen in a small district and the officer, or at any rate a difficulty on the part of the officer in enforcing the rule strictly?—I prefer to put it, my Lord, that he is known, and if he is known——

12,457. (*Chairman.*) Metropolitan improvements is rather a big phrase?—Yes, it is, sir; it has been a constant bone of contention, what is a metropolitan improvement: the local authorities say one thing, the County Council say another; it is a matter, sir, which will ever remain a question of discussion.

12,458. You have no solution of the difficulty, no discrimination you can apply?

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12,459. (*Lord Farrer.*) It must be a matter of judgment in each case?—I think so, my Lord.

12,460. (*Mr. Smith.*) Had you any experience of local government before you came to London?—Only as a resident in a town.

12,461. In what town?—Leominster, in Herefordshire.

12,462. That is a very small town?—A very small town.

12,463. Has it a Corporation; I forget?—Yes, sir.

12,464. You have not taken any part in local government matters in the country?—Not till I came to London.

12,465. And you were three years a member of the Vestry of St. Clement Danes?—I am now, sir.

12,466. And you have been four years clerk to the Strand District?—Yes.

12,467. You know probably that what you have been advocating with regard to repayment of loans is exceptional, is it not, among local government experts—this unlimited borrowing without any control?—Oh, certainly; it is quite a new departure.

12,468. You know that all the large towns submit, and submit cheerfully, to limited periods for their loans?—I do not dispute it.

12,469. And that on the whole we think the check of the Local Government Board is wisely exercised?—I think there is always a tendency on the part of officials to approve of the control of the Local Government Board; I have found it by experience.

12,470. There are exceptions I apprehend?—Oh, of course, there are, yes; but one finds one's self in a very small minority.

12,471. Yes, that is why I asked you about your experience?—Yes.

The witness withdrew.

Adjourned.

TWENTY-SIXTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 3rd May 1894.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., *Secretary.*

Mr. E. Boulnois, M.P.
3 May 1894.

Mr. EDMUND BOULNOIS, M.P., a member of the London County Council, called in and examined.

12,506. (*Chairman.*) You are aware, Mr. Boulnois, of the character of our duty?—Yes, sir.

12,507. We are charged to construct if we can a scheme of amalgamation of the City and the County Council, and you are aware that we have had a scheme submitted to us on the part of the County Council, though probably not commanding the entire assent of all the members, yourself included. You have seen that scheme?—I have seen it.

12,508. What is your general view of that scheme?—Well, at the outset, of course I must say that I am entirely opposed to amalgamation.

12,509. Altogether?—Altogether. My view is totally opposed to one huge municipality for all London, but I should prefer to see corporations formed for different parts of London, and perhaps at the outset, Mr. Chairman, I had better say why I speak with that view. I happen to have been locally associated with a district of London for a great number of years. Thirty-two years this May I have been a member of the vestry of St. Marylebone; for nearly that period I have been a member of the Board of Guardians, of which I was chairman a great part of the time. I have been for many years a member of the Bench, part of which time and at this moment I am chairman. I am a Commissioner for Income Tax for Marylebone; I think I may safely say that I have belonged to every body or committee in that district and have served almost every office, with the exception perhaps of beadle, that could be thought of. Therefore I claim to be entitled to speak from what of course must be described at this moment only as a parochial point of view, because we do not know London in any other than as formed of parishes, and my idea of the government of London is either that large parishes should be formed into municipalities, or that there should be a group of parishes. By that means I think you would encourage and stimulate local feeling, which I am sorry to say from my experience, long experience, is very apathetic.

12,510. (*Lord Farrer.*) Very apathetic?—Very apathetic, and I believe that the proposal of the London County Council would be to wipe out altogether all local feeling. It is clear to my mind, from the course which they have taken since they were created, that their desire is to take away as much power as they can from the vestries and the local boards and to vest it in themselves, and my view is that that would concentrate into one powerful body all the work that should properly be done by vestries and district boards, and is to some extent being done now. I should view that with sorrow. There is very little parochiality as we know in London now, and a scheme such as the London County Council have put forward for becoming the great body for the government of London would prevent, I think, numbers of most eligible local men from taking any part in local affairs.

12,511. (*Chairman.*) Now let us understand; your life has been very much mixed up with Marylebone?—Yes.

12,512. A district of London?—Yes.

12,513. You wish to preserve as far as possible the local life of Marylebone?—I do.

12,514. And you think it is desirable that that should be done throughout the whole area denominated London?—I do.

12,515. Do you think it is necessary to have besides the local life so sustained, any central body charged with any functions?—I do. I think that there must be a central body for certain purposes, drainage purposes, fire brigade purposes, open spaces purposes, large open spaces, I allude to. I cannot enumerate them, but there are certain purposes which I see must be controlled by a central body.

12,516. Very well, let us start from that; it is necessary to have a central body, and it is desirable

to have local and in a measure independent bodies?—Yes, that is my view.

12,517. Local activity is not at present so great as you would desire?—No, I deplore the feeling that exists in London, especially amongst the better classes in London, the apathy to local government.

12,518. You find that in Marylebone?—We find that in Marylebone. I believe it exists in other parts.

12,519. Does the scheme which has been submitted on behalf of the London County Council take anything away from the existing local bodies?—I am not prepared to say definitely that it does, because I cannot call to mind the details of the scheme; but I see in the disposition of the London County Council a desire to take away from local authorities. It passes through my mind at the moment, that such Bills as they have in this Session, their General Powers Bill, their Streets Bill, their Valuation Bill, are endeavouring to deprive the local authorities of some of their existing power.

12,520. Yes, that is rather going outside what is before us. Put yourself in our position, just conceive for a moment that we are desirous of maintaining a strong and active local life as well as a central life. Now assist us by pointing out how the scheme of the County Council, as submitted to us, takes away their local life, and how you would like to have the apportionment of powers re-settled, so as to strengthen local life; if I may say so, there is no difference in principle between you and the County Council?—The difference in principle between the County Council and myself is, that they desire to absorb corporations.

12,521. Oh, but I have asked you that question; as far as they put a scheme before us, what do they propose to take away?—They propose to take away the powers of the City of London; that is a corporation which exists.

12,522. Let us confine yourself to your own experience in Marylebone; what do they propose to take away from Marylebone?—At the moment I cannot remember; but I see the mind of the County Council is to take away powers from local bodies.

12,523. Yes, that may not be our mind; you will assist us very materially if, instead of taking the disposition of mind you give the examples, actual fact. Tell us what is threatened to be taken away, the removal of which would be injurious, and what ought to be added, which you think should be added?—I think you will probably get that from another witness; Mr. Westacott, for instance, I think would probably be able to go into the detail of the scheme.

12,524. (*Lord Farrer.*) In making a proposal for amalgamating the City with the London County Council, the scheme of the London County Council proposes to transfer certain powers from the present City which are exercised by the present City within the area of the City, but which are not exercised by other local authorities in the rest of London; have you formed any opinion upon those particular powers, whether those are powers that ought to belong to the local body or to the central body?—I think there are some powers which are now possessed by the City which must be handed over to a central body.

12,525. (*Chairman.*) You say it is all a question of more or less?—I admit that.

12,526. Well, now with respect to the central body, have you any ideas as to the way in which that should be constituted?—Oh, I think it should be constituted by election.

12,527. Direct election?—Direct election.

12,528. Have you any proposals to make with respect to any alteration of the present plan of direct election?—No, because I think that the present mode of election is a proper one.

12,529. In all its parts?—In all its parts.

12,530. You would have a total election once in three years?—Yes.

12,531. As opposed to a re-election in thirds every year?—Yes, I think so. My impression is that it is better to have an election once every three years of the whole body.

12,532. Have you anything to say with respect to the aldermen?—Personally I am not particularly enamoured of aldermen, particularly the London County Council aldermen.

12,533. Why, as individuals, or as to the way they are chosen?—Not as individuals, Mr. Chairman.

12,534. As to the way in which they are chosen?—Yes, the mode of electing the aldermen in the County Council does not commend itself to my mind, looking to what has taken place.

12,535. Very well, that is something definite. How would you amend the mode of election?—If there are to be aldermen I would have them elected on the franchise.

12,536. Directly by the electors?—Directly by the electors.

12,537. How would they differ from ordinary councillors?—In no way. Personally, my view is, that there should be no such thing as aldermen. I probably shall not be in accord with one or two of my colleagues on that point.

12,538. You have not considered the possibility of electing aldermen so as to represent the different divisions of the County Council?—I see no good that would result from that.

12,539. You do not think that the presence of aldermen is a valuable additional element?—No.

12,540. Apart from popular election?—No.

12,541. Well, so much with respect to the central body.

12,542. (*Lord Farrer.*) May I just go back to ask a question about the aldermen. I suppose your objection to the present mode of electing aldermen is, that it gives whichever party happens to be predominant in the Council at the time the power of increasing its majority?—That is my political objection, but I also object to aldermen because I do not quite see the use of them. The idea was that there should be a certain number left in a body who would be able to carry on a certain policy, or part of a policy, of the outgoing body, but, as I have just said, I think that the triennial election of the whole body is best. I do not see any advantage in retaining even a few aldermen in the body.

12,543. (*Chairman.*) And you have rejected the suggestion that aldermen should be elected, so as not to give the whole power to the majority of the Council?—Yes.

12,544. You do not think, in fact, that they bring an added element of experience which cannot be secured by popular election?—I do not.

12,545. Well, then, with respect to the local bodies, taking the mode of election as re-settled by the Bill of last session, have you anything to say in respect to that? Would you alter the method in which vestries should be elected in the future?—No, it is the most extended franchise I think that exists now; it takes in every possible person, including women, to which I have always been much opposed; at the same time, as women have been able to elect guardians before, I see no objection to the franchise as settled in the Local Government Act I think you allude to.

12,546. Yes.—For the franchise in the election for the representatives of the municipalities.

12,547. I understand you to favour the creation of municipalities?—I do.

12,548. Understanding by that, corporations after the pattern of the Municipal Corporations Act?—Yes.

12,549. Mayor, aldermen, and councillors?—I am not wedded to the aldermen; mayor, if it is thought advisable to adopt that title.

12,550. Then, if you discard aldermen, and do not care whether the principal man is called mayor or chairman, what do you mean by the use of the word municipalities?—Well, you must have a chairman, and the elected body is the municipality.

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12,551. Quite so; then in fact it means nothing but what we have got now.

12,552. (*Lord Farrer.*) You object to the word "vestry"?—I should like the word "corporation," I think. It is a more important title, and I think you would probably get persons to take more interest in a corporation than you do in a vestry.

12,553. (*Chairman.*) But that is a matter of naming?—Naming, practically.

12,554. Entirely a matter of naming?—I think so.

12,555. (*Lord Farrer.*) And I suppose of reorganisation of some of the smaller districts?—No doubt some of the smaller districts would have to be reorganised; I do not propose to create a municipality for tiny districts in the Metropolis: that is a matter of detail which can be settled hereafter.

12,556. (*Chairman.*) Yes, we need not go into that. Considering the question of Marylebone, you do not want practically, although you talk of the municipality, you do not want the governing body of Marylebone to be constituted otherwise than as it is constituted now?—No, I see no particular advantage in altering the constitution; as you said just now there is a good deal in the name.

12,557. You have admitted some of the functions now exercised by the City Corporation within the City area ought to be exercised by the County Council?—Yes, I think the City must give up some.

12,558. There, again, it is a question of more or less?—Yes.

12,559. And the question whether the City Corporation should be left in its present mode of constitution and election, or be reformed, is a matter comparatively of detail?—I think so.

12,560. (*Lord Farrer.*) Do you think that the City ought to bear the same relation to the central body, whatever it is termed, that other district governing bodies, such as Marylebone, bear?—I think so, as far as administration goes, but I should like to see the City preserved as it is now, with its Lord Mayor, and able to discharge the peculiar functions which attach to the City, and which have attached to the City for so many years.

12,561. What functions do you refer to?—Chiefly the functions of hospitality and ceremony. It appears to me, as a man quite outside the City, that for an immense period the City has discharged functions which in other countries devolve upon the monarch or the government.

12,562. Then you would reserve those what we may call ornamental functions to the local governing body of the City?—Absolutely.

12,563. And not transfer them to the central body of London?—No, I would not, because I think if they were transferred to the central body of London they would disappear.

12,564. (*Chairman.*) Why do you think that?—I think the democratic spirit which would govern a central body like that would in course of time gradually get rid of ancient traditions.

12,565. (*Lord Farrer.*) Do you find any spirit of that kind in the recommendations that have been made by the London County Council?—No, I cannot say that, because on paper they seem to be particularly eager to preserve them.

12,566. (*Chairman.*) But you think they are practically found superior to all weaknesses of tradition, the love of pomp, and ceremony?—I think so.

12,567. Is that borne out by the experience of democratic government and municipalities in other parts of this country, or in other parts of the world?—Well, I cannot speak of other parts of the world at all.

12,568. Well, do you know anything of the mayors of the great colonial cities?—I do not.

12,569. Confine your attention then to England, Great Britain, and Ireland?—I have not much experience of the mayors and corporations of great provincial towns, I am aware that they do exercise functions of hospitality and ceremony, but to nothing like the same extent as the City of London.

12,570. They have not the same resources?—They have not.

12,571. But we are talking about the spirit and desire. If these resources which are enjoyed by the City were transferred to the representatives of the whole of London, the resources would abide, but you think the spirit would disappear; have you any evidence that the spirit is wanting in other parts of the United Kingdom?—I have observed the spirit wanting in other parts. I cannot call to mind any particular locality, but I have observed from time to time a disposition to negative proposals for the expenditure of money for ceremonies.

12,572. On the part of?—Corporations.

12,573. The democratic element?—I cannot say whether they were democratic or not.

12,574. Has it taken the part of defence of property against the spending of rates upon ceremonies, or has it taken the view of objecting to pomp and ceremony altogether?—Both, I think. It is a mere opinion of course. I am not, as I said at the outset, in a position to speak for provincial corporations.

12,575. (*Lord Farrer.*) Does your experience both of the local governing body of Marylebone and of the London County Council, which is very great, enable you to give us any indication of your view as to the specific powers, which should be reserved, say, to the City, as a local governing body, and those which ought to go to the central body?—My idea is that the local authorities should do a great deal of the work which is now done by the London County Council.

12,576. (*Chairman.*) Such as?

12,577. (*Lord Farrer.*) For instance?—Well, sewer matters, which could very well be done by local authorities, street naming, matters connected with sky signs, slaughter-houses, things with which a central body I do not think need concern themselves, and as far as I am personally concerned I would have these municipalities take over the work of guardians.

12,578. (*Chairman.*) That is quite apart?—Quite.

12,579. (*Lord Farrer.*) I gather from your answers that what you wish is that the central body should confine its attention to those things which concern the whole of London, and that as much of detailed local administration as possible should be given to the local governing body of the City, and if to that of the City then to other local governing bodies?—As much as possible.

12,580. That would be your view generally?—Yes.

12,581. (*Mr. Smith*) You are a member of the London County Council, I think?—Yes.

12,582. (*Lord Farrer.*) An active member?—An elected member.

12,583. (*Mr. Smith.*) And you are also a Member of Parliament?—Yes, for a division of Marylebone.

12,584. I gather from your evidence that you approve generally of the Act of 1888, which constituted the London County Council?—Well, I am not prepared to say that I approved of the Act which constituted the London County Council; I had no particular fault to find with the old Metropolitan Board of Works, I think they did their work extremely well. It is true that there were some things of which one could not quite approve, but those were things which might happen in any body. I saw no necessity for abolishing the Metropolitan Board of Works.

12,585. You did not vote against the proposal, I presume?—In 1888?

12,586. Yes?—I was not in Parliament.

12,587. I suppose, Mr. Boulnois, you have studied this question by the light of previous Royal Commissions and Inquiries. You are aware that the Commissioners of 1837, who were the same commissioners as were appointed in 1835 to consider the state of municipal corporations in England and Wales

generally, reported rather strongly in favour of one municipality for London?—Yes.

12,588. And you have probably read that report?—I cannot say that I have, but of course London was a smaller place then than it is now.

12,589. But still very much larger than any other municipality in the country?—Very much larger, yes.

12,590. And can you see any reason why the same process should not be applied to the City of London that has been applied to every other municipality in the country, with considerable advantage, viz., that of reform?—I am not quite sure that I gather quite what you mean by the word reform.

12,591. You know that there was a very great reform effected by the Act of 1835, which was the immediate result of the report of the Royal Commission, and that the same Commissioners, in 1837, reported that in their opinion the same process should be applied to London?—I think that the City Corporation, like the other corporations which I am proposing for the areas of London, should be elected in the same way, should have the same functions, and perform the same duties as the other corporations.

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12,592. You see no reason then why the City should remain as it is, the only unreformed corporation in England?—No, I think it must be the same as the other corporations.

The witness withdrew.

Mr. Benjamin Lewis Cohen, M.P., a member of the London County Council, called in and examined.

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12,593. (*Chairman.*) Mr. Cohen, you are a member of the County Council?—Yes.

12,594. And of Parliament?—And of Parliament.

12,595. Have you been a member of the County Council from the beginning?—From the beginning.

12,596. An elected member?—An elected member for the City of London.

12,597. Now, will you tell us your view?—Yes. I should like to say, before I begin my evidence, that my position differs somewhat from that of my friends here present in that I am a member of the County Council for the City, which, as you were good enough to tell us, is the part of the problem which has been set to you in the unification of London. To that extent I am the body that is to be swallowed, whilst my friends are the body which is to swallow. That is a very important difference, it seems to me, although I do not think that I differ very much, or perhaps at all, from the views which in outline they have submitted to the Commission. Then I wanted to say also, sir, that in what I am going to say I am giving to the Commission my opinion, and only my opinion. I am not sent here by the Corporation of the City of London, of which I have never been a member, who do not know at all what I am going to say, and, therefore, my evidence is given absolutely on my own authority, extracted from such information as I have been able to collect in as careful a way as is within my control. But I do not come here as representative in any way of the Corporation, with whom I have not had any communication of any kind or sort, direct or indirect. If the Commission would allow me, I should like to address myself in only a few sentences, first to the principle of amalgamation or unification; I do not know that I quite appreciate the difference between the two. This appears to me to be entirely the wrong way to set about a scheme for the government of a huge city like London, where, from its very magnitude, in my judgment, the guiding principle should be decentralization, and not centralization.

12,598. Do you mean to say that there should not be a central body as well as local bodies?—No, I do not mean to say that.

12,599. Then what do you mean?—I mean to say, that I would have a central body—possibly the London County Council, such as it is—it is a very suitable phrase; I would have a central body, but to that central body I would entrust duties which are exclusively metropolitan in their character. I would endeavour to vest in local bodies as much as I could, and to entrust to the central body as little as I could.

12,600. That is a question of more or less?—Yes, that is so.

12,601. Is that fatal to the idea of amalgamation or unification?—I think so.

12,602. Amalgamation or unification does not imply more or less?—It seems to me if it is not fatal to the amalgamation it is very directly in conflict with the scheme before you, from the London County Council.

12,603. Ah, but you have not come to that yet. You began by saying that you think amalgamat on or unification is the wrong way of setting about the problem?—I do.

12,604. You admit that in the end the problem is to be solved by the existence of a central body and of local bodies?—Yes.

12,605. Is not that amalgamation or unification?—I do not think it is either the one or the other.

12,606. Well, why not?—Because it seems to me that each body, if my view were to prevail, would have its local government—be it called a corporation or municipality, that is a detail—and that there would be confined to the central body only metropolitan duties, and they should not amalgamate or absorb or unify their separate constituent elements. With all submission, would you say that Parliament absorbs Liverpool and Manchester and Birmingham and Plymouth, because it has representatives sent to it from those various bodies.

12,607. Well, I should say—I am not to answer questions, but to ask them; but I should say, if you would allow me to answer the question, that, in Parliament, we have at present the unification of the United Kingdom?—Well, I should not have so phrased it.

12,608. That is really not the point at issue at all. As far as I know, there is not at the present moment a single human being who wants to absorb the local bodies in London in a central body. Everybody starts from the assumption of local bodies and a central body, and then the question is more or less?—Well, I have not so read, sir, the plan of the London Council Council for the unification of the Corporation with the County Council, because if I am wrong, really I do not know what this Commission is for, because the Corporation is unified with the London County Council at the present moment according to that view, inasmuch as I am myself one of the four living instances of that unification of the City of London with the London County Council.

12,609. I have submitted to you that it is a question of more or less?—Well, sir, you did; and I would say I would prefer the less and not the more.

12,610. Well, but do not begin by saying you are opposed to the thing in principle; you are only opposed to the degree?—I cannot assent to that, because as far as I have been able to gather, the scheme of the London County Council does take *en bloc* the London Corporation.

12,611. Perhaps you had better condescend to particulars, as the Scotch say. Let us go to the scheme of the London County Council—your views about that?—I want to—I do not need to refer to the Royal Commission of 1854, because I have no doubt the Commission is very familiar with the passage on page 35 of their Report wherein they themselves directly condemn the proposal to give a municipal organisation to the entire metropolis by a wider extension; I can quote this to you, but no doubt you are familiar with it.

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12,612. (*Mr. Smith.*) Just one moment before you leave that, you know that that Commission was not desired to report on that subject?—I do.

12,613. They were appointed to inquire specially into the affairs of the City Corporation?—Yes.

12,614. They gave that as a kind of *obiter dictum*?—That is so; I knew that, and I would like to quote the concluding sentence in the passage to which I have drawn the attention of the Commission,—"We "see no reason why the benefit of municipal institu- "tions should not be extended to the rest of the "metropolis by its division into municipal districts, "each possessing a municipal government of its "own,"—and that I want to submit to the Commission is, in my view, the key to the problem. I would advocate, as did Mr. Boulnois, dividing London into municipalities, of which the number could be hereafter settled, and of which the City would be one. Each municipality, I should recommend, should have its own municipal corporation, its own mayor, and its own aldermen. Of the latter I should advise one should be elected by each of the wards into which these various municipalities would be divided.

12,615. (*Chairman.*) How would he differ from a councillor?—I would advise that he should be elected either, if my view were to prevail, as is the case at the present moment in the City of London, for life, with the dignity of justice of the peace, or, though I do not think that would be so good, for six years instead of annually.

12,616. Annual?—I will show that to the Commission presently. In my view, while I have no objection and no suggestion to offer by way of altering the period for which the representation to the central authority would be elected—at the present moment they are triennial elections—I am strongly an advocate of the election to the separate municipal authority each year, as is the case in the Corporation of the City of London, and as I believe is the case—although I speak with less personal knowledge on this subject—with each one of the provincial municipalities.

(*Mr. Smith.*) No, you are quite wrong there.

12,617. (*Chairman.*) Let us understand what you do wish, then. Let us distinguish that in London, as you know, all the common councillors are elected every year?—I do.

12,618. In the provincial municipalities one third are elected every year?—Yes.

12,619. Each ward elects one-third of its representatives; which do you prefer?—I prefer the annual.

12,620. You are a representative of the City of London?—I am. I prefer the system which is there adopted.

12,621. But you do not know much of the working of the other?—I do not. And although I have never been myself a member of the Corporation of the City of London, I am rather familiar with its working, because I have spent 30 years of my life in the City.

12,622. If you are unacquainted with the working of the system of elections by thirds annually, what is the clear ground of your preference for one system over the other?—Oh, because I think it makes a greater interest in the admission and entry into the body.

12,623. Is there intense interest in the City?—I think intense.

12,624. Every year?—Every year.

12,625. Is there much variation in the persons elected?—I should say —— you must take it rather roughly, but if there are four or five members to be elected for each ward on St. Thomas's Day, there is generally a contest in most of the wards, but not for all. I think from the returns of the contests there are more candidates, I should say, as a rule, than there are members to be elected; but I would not say that there is double the number that each ward sends to it, any more than there is in Parliamentary or in the existing London County Council elections.

12,626. (*Mr. Smith.*) As a matter of fact is there much change in the representation?—I believe very considerable.

12,627. (*Chairman.*) There is considerable change?—Yes.

12,628. Are you aware that we have had evidence from the City, before it unfortunately broke off, contradictory to this?—No, I am not.

12,629. And that there is not much change in the representation?—No, I am not.

12,630. No contests, and the beauty of the system was, that it excited so little political feeling?—Political! I said nothing about political feeling.

12,631. Or other feeling; that the same people were returned over and over again?—I think, sir, I must have expressed myself badly, the same people, but not the whole five same people. I did not mean to convey that in an election for five the whole five were turned out.

12,632. I think we have got evidence that in the majority of cases there is no contest at all, that out of 26 wards there may be a contest in five or six?—Well, I was not aware of that, possibly owing to the fact that I had not the privilege of either being present here when the evidence was being given, nor have I seen the evidence.

12,633. You are aware of the working life within the city?—I am aware of the working life, and thought I was reasonably acquainted, as an outsider, with the working of the Corporation, and it is new to me to hear that there is not a contest in more than one-fifth; I should have thought there would have been three-fifths or four-fifths.

12,634. We will get the reference to it presently?—I did not challenge it, I need not say.

12,635. Sir John Monckton said:—"The change "is not usually great; out of the 29 wards, and "sides of wards, this year, in about 25 there will be "no change at all. There will in about four wards, "owing mainly to deaths. There are more can- "didates springing up than the vacancies will "absolutely require, so that probably there will be a "poll."

12,636. (*Lord Farrer.*) Owing to death.

12,637. (*Chairman.*) In the four wards?—That is one-fifth as you say.

12,638. We have had other evidence to the same effect?—Yes, I will refer presently, more in detail, to the Municipal Corporations which I suggest should be constituted for the government of London, and I would like first, as is suggested in the letter which I received from your secretary, to state my objections to the scheme of the Special Committee of the London County Council. My first objection is that the present County Council has too much to do, and too few to do it. Work which can be delegated to local authorities, in my opinion should not devolve, as I said before, on a central body. It seems to me that less attention can be given to it, and of necessity there is less interest taken in it. There is less knowledge of the individual requirements of the locality. Under these circumstances it scarcely seems wise in my judgment to create a central body, with more duties, larger jurisdiction, and more responsibilities. The object should rather be to devolve on the central authority exclusively such duties as concern the whole of London, and to entrust to local authorities all that mainly concern the individual localities.

12,639. I suppose you will go on to tell us what duties are now exercised by the County Council which you think might be properly exercised locally?—Certainly. Another immense advantage in my judgment would be that the position of municipal councillor would be much more eagerly sought after than is at present that of a vestryman. The vestries would be superseded by the municipal corporations If you will allow me, sir, I will now tell you only a few of the duties which now devolve on the London County Council, and which I think could with greater advantage be confided to local authorities. Only a

few of them: the numbering of streets, the permission to block for a period thoroughfares. I am rather familiar with my own district in Parliament. If, for example, in St. Paul's Road or Upper Street, Islington, they want to take up a road and repair it, they must come to the London County Council Highways Committee for that permission. Similarly, open spaces—I do not mean, of course, parks—but simply open spaces can be, in my opinion, with much greater advantage entrusted to a local body than to the London County Council. Bands, musical bands, the London County Council——

12,640. What do you mean by that?—The London County Council is something like an elephant, you know, nothing is too small and nothing is too large for it. It has undertaken to provide music and did spend—I do not recollect how much—some thousands of pounds last year for the provision of music for London, and the bands are assigned to-day to Highbury, to-morrow to Hampstead, the next day to Kensington, and the fourth day to Hammersmith. And then I come to what, in my opinion, is the important thing—the borrowing powers. I do not myself at all approve of the law which obliges the vestries to get the permission of the London County Council to borrow. The form is that the local bodies ask permission to borrow, and if that is granted, they ask the grantor, that is the London County Council, to lend.

12,641. Cannot they borrow of themselves without going through that?—No.

12,642. From other bodies?—No, they cannot borrow from other bodies without the permission of the London County Council. They apply to the London County Council to borrow, and they nearly always apply to the London County Council to lend—an arrangement which is not disadvantageous to the London County Council. I do not think that the pecuniary gain is very much—I should say something like (speaking of course roughly) some 2*s.* or 3*s.*, perhaps 4*s.* per cent. We lend—I happen to be a member of the finance committee of the London County Council—we lend to all these local bodies at the present moment at 3½ per cent. per annum, subject to an exception that I will mention directly, and we give them permission to borrow. Well, in my opinion, that permission to borrow—which I think they ought to be required to obtain—should be obtained from the Local Government Board; and then, once they had got that permission, I would let them go where they liked to get the money. I think that that would be a very great advantage. That is one of the duties—that is one of the absorbing and centralising functions of which I would divest the general body. I do not think that it is to the advantage of the general body that there should be accumulated, as there certainly will be, a debt of something like 50,000,000*l.* sterling in a very short time. You see, there were 2,000,000*l.* issued the other day. I think it would be an advantage if every local body had to bear, to a certain extent, and to a greater extent than it does, the burden of the debt, which I should let it create for itself—with the authority, of course, of the Local Government Board.

12,643. (*Lord Farrer.*) I only want to see clearly what it is that you desire. There are two separate points. You desire, in the first instance, that the leave to borrow at all should be transferred from the London County Council to the Local Government Board? That is one thing?—That is one thing.

12,644. Then do you wish to curtail the power of the London County Council to lend?—Yes.

12,645. That is another point?—Quite so. What I would do is, when this local body had obtained from the Local Government Board permission to borrow, I would let it go where it likes to borrow.

12,646. Quite so. But you would curtail the power of the London County Council to lend?—Yes, I would.

12,647. That would require very considerable rearrangement, would it not, of the financial arrangements of the London County Council?—It would require not such a very considerable rearrangement, Lord Farrer, because, of course, the difficulty in which the London County Council at the present moment is, arises, as you are aware, from the means, from the field wherein to employ its Consolidated Loans Fund.

12,648. Quite so?—Then that Consolidated Loans Fund springs from the duty, which the London County Council has by statute to raise from the county fund—every year such an amount of money—you are very familiar with this—such an amount as is required for the redemption and services of its existing debt.

12,649. Quite so?—In proportion as you diminish its opportunities and its necessities for raising debt, so you will diminish the amount which would have to be paid into the Consolidated Loans Fund; and if you did reserve, even to the London County Council, the very absorbing duties, which I should still confide to them, such as Mr. Boulnois mentioned—I do not like to repeat them—main drainage, fire brigade, and metropolitan improvements; they are large things, you know,—the Victoria Embankment, I do not know how many millions it cost—I think it was seven or eight—there would still remain large purposes to which, as now, the Consolidated Loans Fund could be applied. Of course the Consolidated Loans Fund would not be big enough for such a colossal work as main drainage or such a work as the Victoria Embankment. But I think that that difficulty would not be so great as possibly you conjectured, because as the field for lending would be restricted, so the obligation to keep on feeding this Consolidated Loans Fund would be diminished. Do you follow?

12,650. Yes, I see your point?—Yes.

12,651. (*Chairman.*) I thought I had understood you to say that the local bodies, having got their authority to borrow from the Local Government Board, might go anywhere, to the County Council or elsewhere, according as they thought expedient?—Not to the County Council. I would not let the County Council do it; I would let them go to the insurance companies and so on.

12,652. That the County Council should be debarred from going into that business?—From going into that business.

12,653. (*Lord Farrer.*) Does not the present arrangement amount to this, that by borrowing a large sum in that well-known stock the County Council are enabled to borrow on very favourable terms? Metropolitan stock stands very high in the market, as you know?—It does.

12,654. Well, they are able to borrow on very favourable terms, are they not?—They are.

12,655. Consequently, are they not able to lend on favourable terms, and is it not a matter simply of mutual convenience and arrangement between the London County Council and the local bodies?—No, Lord Farrer, because the price at which the London County Council stock stands in the market, differs not much from that which Tonbridge Wells or Windsor or some small place commands. I do not tell you that the security is identical, yet, nevertheless, you can see day after day, Stockport, Windsor, Tonbridge Wells, Scarborough; they raise their stock within very little more than 4*s.* to 7*s.* per cent. of the rate of the London County Council stock. I do not know whether you call that much or little, but that is about the difference between the London County Council stock

12,656. (*Chairman.*) I was going to say about ⅛ per cent. I thought that would be sufficient to make it worth while, but apparently you go to ⅜?—Allow me, Mr. Courtney, to say, that although there is that difference in extreme instances, I should have put it at an average of about a quarter, and though there is that difference it is not the difference which affects these local bodies in the way Lord Farrer

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suggested, because our rate to them is at present an immutable rate of 3½ per cent., and, in my opinion, they might borrow not at that rate but at a lower rate.

12,657. Then why do they not borrow at a lower rate, because they are not compelled to come to the London County Council?—Well, I do not know about not compelled; they are not compelled by law, but they find it, I suppose, more convenient to go to the County Council, because they go there for 10,000*l.*, 15,000*l.*, and 20,000*l.* at a time. Those are sums which presumably they think they could not so conveniently borrow elsewhere.

12,658. Then it is a matter of convenience?—I am not sure that if they were made municipal corporations they would find money in that way; they would do like the London County Council does.

12,659. After all, in the pursuit of gain to the citizens of London at large, the question is, at what rate the County Council can borrow, because if the vestry pays more to the County Council than they could get it for elsewhere it comes back to it in the County Council rate. They are interested in the County Council finance?—No. I think you will see, you of all men in the world will see, that their interest in the gain is much smaller than their interest in the loss. The one falls entirely upon themselves; the other falls on the Metropolitan Ratepayers generally.

12,660. That depends, of course, upon their position in respect of other branches of the Metropolis?—I ought to have said that to the London School Board—I am not sure whether I can recall any other one; no, I think the London School Board is the only one—we do not lend at 3½ per cent. We lend lower; such large sums as 100,000*l.* and 200,000*l.*, we lend as low as 3*l.* 2*s.* 6*d.* per cent.; and, of course, although you are all aware that the Metropolitan Stock recently issued—I had something to do with the original creation of that—was issued at 2½ per cent.; it costs the London County Council more than that rate of interest. Manchester, Liverpool, and Birmingham, I believe, could raise their money quite as well as the London County Council.

12,661. (*Mr. Smith.*) You have been good enough to mention Birmingham; but does it not really come to this point, that these local bodies borrow in the cheapest market, and the cheapest market at present is the London County Council? You are in error, I think, in supposing that they cannot go elsewhere; they may go elsewhere if they can borrow cheaper?—Yes, after they have obtained the permission to borrow from the London County Council.

12,662. (*Lord Farrer.*) Or more conveniently?

12,663. (*Mr. Smith.*) Or more conveniently. In Birmingham, following in that the precedent of London, we got powers to finance the school board, the board of guardians, and the drainage board—all within Birmingham—simply for the reason that it is very much cheaper for a central body to borrow than for all the independent local bodies to be competing in the same money market?—I was not aware of what you have told me, regarding Birmingham.

12,664. That is our experience?—Yes.

12,665. (*Chairman.*) You find it very credible?—I do. But I should like to say that, in my opinion, Birmingham and Liverpool and Manchester—perhaps not Manchester lately, because the creation has been so large—but Birmingham and Liverpool, I think should, and certainly I believe could, raise their corporation stock on very nearly, if not quite the same terms, as the London County Council.

12,666. (*Mr. Smith.*) Such as they are I think they do. But if I were to cut Birmingham up into segments I would not say that the segments could borrow on the same terms?—It is not at all certain, I think.

12,667. I do not think I could get a loan for Bordesley and a loan for all the different wards of Birmingham on the same terms as I could for the City?—No.

12,668. (*Lord Farrer.*) At the same time, would you not be satisfied by allowing local bodies in London to go where they pleased?—Yes, I should.

12,669. (*Chairman.*) You do not stick to prohibiting the County Council?—Prohibiting the County Council,—no. Then may I go on. The plan of the special committee would increase the already unmanageable congestion which presses on the Council. Already every member of the London County Council has to serve on two or three, and sometimes on four committees, of which frequently one or two meet, occasionally in different parts of London, at the same time. A demand is thus made on the time of members even greater than that of members of Parliament, with the result that a large share of the administrative work of the whole Council falls on comparatively few members whose avocations enable them to devote, as some members do, their whole time to the Council. These members often reside quite away from the locality whose interest may happen to be affected, and they, therefore, are necessarily less acquainted with the requirements of the district than would be a local corporation constituted, presumably, and probably, entirely of native members. I think it would be an immense advantage, for a locality to be governed by a body consisting of resident and native members, who had to direct that which concerns *ex hypothesi* native and local requirements. And another, and, to my mind, still more important objection, is that the County Council is becoming, and tends each year more and more——

12,670. (*Lord Farrer.*) I quite understand that that is a reason why as much administration as possible—local administration—should be given to local bodies; that is your point?—That is my point.

12,671. But I do not quite understand how far that is a specific objection to anything which the County Council proposes?—In this way: Because the London County Council is going, besides what it is now—to which I object—to still more violate the rule which I want to adopt, by bringing in, if you adopt their views, the City Corporation, with its duties.

12,672. Do you refer now to the functions of the City Corporation, which it is proposed to transfer to the London County Council?—Which they advocate.

12,673. Which they advocate?—Yes.

12,674. Then perhaps, you will come to this in detail presently?—I shall in a short time, with the permission of the Commission. Another and still more important objection is that the County Council has become and tends each year more and more to become (as I think is inevitably the case in a large municipal body), a great political body which aspires to legislative functions in accordance with the views of the party which happens at the time to predominate at the Council. I do not know whether you think I am bringing a prejudiced judgment to bear upon that question, but I have tried to divest myself of any such feeling, although I may unconsciously be swayed by it.

12,675. (*Chairman.*) Would you illustrate that movement?—I am going to. The co-optation of aldermen has followed, as was perhaps inevitable, the political bias of the Council. In the present Council not more than one, or at the most two, of the aldermen co-opted were in political sympathy with what is known as the "Moderate" party, although that party was elected by 115,000 electors against the 137,000 votes polled by the "Progressives," who constitute more than two-thirds of the present Council. Every "Moderate" member thus represents about 3,400 electors as against the 1,635 represented by each "Progressive." And the Commission knows that the proportion of 115,000 and 137,000 is not the proportion of what are called the Moderates and the Progressives on the present Council. And with regard to their legislative aspirations there are the betterment proposals, the taxation of ground-rents without any regard to the interests and to contracts which exist. Those are legislative and, I think, political functions

—about which I am expressing no opinion for or against—but which are, in my opinion, outside the province of London government, and inside the province of an Imperial Parliament; and the merging of the one into the other is, to my mind, an inevitable consequence of one great big municipality. I believe that if you were to sub divide London into districts or corporations they would confine themselves to pure local administration, eschewing party politics, as has been the case for the last eight centuries in the City. With the Corporation of the City of London we never hear anything about politics. I do not want to conceal, because the Chairman is rather smiling that in my opinion the Corporation of the City of London probably—but I do not want to dogmatise on that, because, I do not know—contains more Conservative members than Gladstonian members. But so there are more Conservative voters in the City of London, so there are in my own constituency, but there are no politics, and never have been any politics imported into the Corporation of the City of London.

12,676. (*Mr. Smith.*) Are you quite correct in that?—Was it not a very stronghold of Liberal influence about 40 years ago?—Which?

12,677. The City of London?—As a Parliamentary borough certainly.

12,678. Yes?—Certainly it was. But I say not as a Corporation.

12,679. I say the Corporation?—I am not aware of it.

12,680. I understood that they took considerable interest in politics 40 or 50 years ago?—Not as a Corporation; members might in their individual capacity. But as a Corporation I think precisely the contrary is the truth.

12,681. (*Lord Farrer.*) I want to be quite clear. The complaint here is that the County Council mixes itself up with political matters. I think you mentioned one political matter—that was taxation in London?—Yes.

12,682. The question of taxing ground rents?—Yes.

12,683. Or taxing real property?—Quite so.

12,684. Do you think that is a thing entirely outside the function of any municipal body?—I do.

12,685. Quite outside?—I do.

12,686. That they who have to collect the rates, and to consider how they shall be spent, have no interest in considering how the money shall be raised?—I think they have great interest in doing it; but I do not think it is their business to discuss those questions. If they want any alterations—and I am not expressing any opinion as to the expediency of the alterations which have been advocated by them—but if they want those alterations, it is their duty, in my judgment, to bring such influence as they have to bear in their respective individual capacity upon the members whom they have returned to their Imperial Parliament, but not, in my opinion, to spend the money of the ratepayers in agitating for this legislation.

12,687. (*Chairman.*) But is the discretion presumed to be vested elsewhere?—You have used the words "legislative functions" with respect to the London County Council?—No.

12,688. Yes, you have?—Yes; I know I have.

12,689. Twice over; it is written there, in fact?—Quite so, I know, and I do not intend to recede from it.

12,690. What legislative functions have they presumed to exercise?—None at all. They cannot at present. But, as we know, I should think I am within the recollection of Lord Farrer, they have in debates expressed satisfaction at the existence of what they called a sympathetic government, and they have alleged that they could bring to bear petitions and all kinds of influence on the authorities for anything they want.

12,691. (*Chairman.*) We need not concern ourselves with what, with all respect to the London County Council, there no doubt have been—many silly remarks by silly members. Let us look at the substance of the thing. Do you mean to say that an elected body for the county of London is not concerned, that it is no part of its duty to consider the promotion of legislative proposals dealing with the taxation of London?—That is my opinion.

12,692. And you base that upon what principle?—Upon the principle that their duty is to arrange for the improvement of the streets, the thoroughfares, the health, and recreation of London.

12,693. You must go a little further than that. Do you go this length, to say that it is inexpedient that the representatives of the ratepayers of London should consider and debate how the cost of the administration of London should be raised within London?—I do not think I should go quite so far as that, within London.

12,694. Is not that the whole point?—No, I do not think so.

12,695. You cannot lay down an arbitrary principle or rule; in the long run it is a question of expediency. Is it inexpedient that the representatives of the ratepayers of London should consider and debate the means of raising the cost of the administration of London within London?—It is a question of degree, and I do not think there is any inexpediency in their debating it. I think that the London County Council has often debated those questions, very much to the exclusion of and to the prejudice of matters which, to my mind, are more in their concern. It entered the mind of the London County Council once—fortunately it was forbidden, but there was a resolution put down on the London County Council—I think Lord Farrer would recollect, on Home Rule, if you please.

12,696. (*Lord Farrer.*) I think Lord Rosebery ruled it out of order without a moment's hesitation?—I think so.

12,697. (*Chairman.*) You are a member of Parliament, as well as of the London County Council; might not some criticism of the same kind be offered to the debates in Parliament?—As to what?

12,698. As to the very inconvenient width and breadth of the discussion which is attempted?—I think very much, but you could not say in Parliament that it was outside their province, whereas I would say in the London County Council it was distinctly so.

12,699. Well, we had better go on?—That is what I want to do. I agree in the main with the suggestions of my brother councillors present as to the constitution of the municipal corporations for the various districts of London, excepting that of the City, which I will notice in a moment.

12,700. Do you agree with Mr. Boulnois?—Not entirely, because while I see no advantage in the presence of aldermen on the central authority, I strongly advocate their retention on each municipal corporation. Speaking from memory of what Mr. Boulnois said, that is the only thing to which I take exception.

12,701. Would you develop your reasons for desiring their presence?—Yes; in the first place the position will be one of some dignity, likely to attract men of position, to local bodies—which at present you do not get on the vestries—and I am convinced that any arrangement which would induce such persons to come forward and take part in the local government of the district in which they are interested would tend at once to the more efficient and more economical administration of the affairs of that district, and indirectly scarcely less to the improved government of the Metropolis as a whole. I would, therefore, strongly advise that each ward of the municipal corporations of London should return its alderman, who might, as is now the case in the City, hold office for life, or be elected for a period of, say, six years. The councillors should be elected each year, as is at present the case in the Corporation of the City of London, and in every provincial corporation.

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12,702. And these local aldermen are to be elected for life or for double the period of the others?—Yes. I should prefer for life, and I would invest the position with all the dignity that is reasonably fitting and appropriate. I would make them justices of the peace.

12,703. You began by bringing the glory of the City before us as a pattern?—Well, I am such an admirer of that—I am not at all jealous or selfish—I should like to confer it upon other branches of London.

12,704. You are unaware of the experience of provincial municipal corporations in that regard?—No; I am quite——

12,705. You know nothing about it?—About the experience of provincial municipal corporations?

12,706. (*Mr. Smith.*) You continually use the term municipal corporations. I only know municipal corporations as created by the Municipal Corporations Act; and are you aware that one of the recommendations of the Commissioners upon whose report that Act was framed, was that aldermen should be elected for six years and not for life?—Yes, I was. I have used the word municipal corporations very advisedly, because I thought I said—I intended to—that I wanted to create municipal corporations.

12,707. (*Chairman.*) Yes, but what does it mean?

12,708. (*Mr. Smith.*) On the lines of the Municipal Corporations Act?—I do not think I said that. It is a small detail, but I do say by all means——

12,709. It is a matter of principle?—I do not think so. I have not understood it thus.

12,710. The history of municipal corporations in this country is a very interesting one. A Commission was appointed in 1835 to inquire into the whole matter, and they made a report which is, perhaps, one of the most important documents ever presented to Parliament, for the reform of the municipal corporations of the country. Your municipal corporation is not to be on the lines of the reformed corporations, as I understand, but on the lines of the City of London?—Yes, except that I have got some important exceptions I would make. When you say the lines, that is rather an elastic phrase. I would not give them, for example, as I would give the City, magisterial jurisdiction.

12,711. (*Chairman.*) That has not anything to do with the municipal corporation?—On the lines.

12,712. (*Mr. Smith.*) I only want to understand what you mean by the words municipal corporations?—I wanted the expression "on the lines" defined.

12,713. The City is the only unreformed corporation in the country?—Yes.

12,714. (*Chairman.*) Is not that a very serious position for you to take up? I would like you to realise it—that, the municipal corporation of the City of London being before those commissioners, that pattern was deliberately discarded for another; that other has been adopted and has been in operation now for 50 years—60 years—with I believe great satisfaction. You, in entire ignorance of the operation of the new model throughout the country, propose to extend throughout London the old discarded model?—Why do you say discarded model?

12,715. Discarded when the new model was adopted?—I do not quite follow you.

12,716. Have you realised that?—I do not follow.

12,717. Well, I will put it to you again. In 1835 there was constituted an organisation of municipal corporations throughout the country?—Yes.

12,718. At that time the constitution of the City of London was as it is now?—Yes.

12,719. Might have been adopted as a pattern?—Yes; I see what you mean.

12,720. Was deliberately set aside as a pattern—60 years' experience of the new pattern. You utterly unacquainted with it?—I follow what you mean now, and I say I do not think that is, as you say, a serious position, because I believe I am reasonably well acquainted with the working of the Corporation of the City of London. I do not claim acquaintance with the other ones, and *mutatis mutandis* I certainly would be in favour of setting up a body similar to the City Corporation, which I do know in preference to the provincial corporations, with which I am less well acquainted, in other parts of London.

12,721. Did it not raise any presumption in your mind of some superiority that another plan was preferred—deliberately preferred? Supposing you were going to set up a constitution in a colony, say New South Wales, and you had before it the constitution of the United States and the constitution of the United Kingdom, and that of the United Kingdom was adopted, and had been spread bit by bit throughout the whole of Australia, and after 50 years a citizen of the United States deliberately recommended the adoption of the constitution of the United States, without knowing in the least what had been the operation in Australia of the other plan?—I do not think the illustration is quite in point, if I may respectfully say so, because in the illustration which you take it was quite a new country. Here is something which is part of the same town, and into which, as far as I can see, a similar organisation on the lines—I must press that question, because there are a great many distinctions—on the lines to my mind would be quite appropriate.

12,722. Well, I will not press you further.

12,723. (*Lord Farrer.*) I should like, before you leave this subject, to learn from you a little more distinctly why it is you make a great distinction between the central body and the local bodies, with respect to aldermen. Why you wish for aldermen on the local bodies, and disapprove of aldermen on the central body?—Because I want to invest with dignity—I want to give attraction to persons to come on the local body, and on the central body I believe that there would be sufficient allurement. One reason is triennial elections; another reason is, I do not want any distinction between the various members of the central authority, while I recognise that there is great value in having distinctions between the dignities and position of the various constituents of the local bodies.

12,724. (*Chairman.*) Local persons have the same name, they would be elected in a totally different way; you would call them aldermen in both cases, but they would come into existence in a totally different manner—the aldermen that you propose for the local municipalities would be elected by the electors?—By the electors.

12,725. Whereas the alderman of the London County Council are co-optative?—But I am not in favour of aldermen on the central body.

12,726. That is the point I am putting to you; that is the distinction between the two.

12,727. (*Lord Farrer.*) That you wish to have men directly elected on the local body who shall remain in office for a longer time, and be invested with a peculiar title?—Yes, and I would make the mayor of the local body—I would make only eligible for a mayor of the local body one of the aldermen of the wards of which it consists—on the lines, such as the Chairman rather objected to—on the lines of the City Corporation, of which I am enamoured. I confess it; and my greatest objection to the centralising proposals of the Special Committee is that it would quite needlessly, as it seems to me, and certainly gratuitously, destroy the ancient Corporation of the City and would confiscate its property in utter disregard of the special responsibilities and duties which devolve on the City Corporation from the special circumstances which have tended, even more in recent years than in the past, to distinguish the City from any other part of the Metropolis, or indeed from any spot in the country. It is these particular circumstances which necessitate a specially constituted Corporation for the City. It is possible that if certain duties were taken from the City's Corporation and vested in the London County Council, some readjustment of the City's cash would be necessary and equitable. But such readjustment should only be in respect of such services as would be entrusted to the

central authority (such as I enumerated—though I do not think I am giving them all)—main drainage, parks, bridges, improvements which are metropolitan in their character.

12,728. (*Lord Farrer.*) Bridges?—Bridges, fire brigade, &c., and if Parliament thought fit, the supply of gas and water. I am glad that you have pressed me upon the subject of bridges, because, of course, you are aware that the bridges within the area of the City of London have been built out of the City—I would not at all object—I would not at all desire to exempt the central authority from providing the bridges.

12,729. (*Chairman.*) You say built out of the City?—Out of the City's cash.

12,730. No, not at all.—Well I ought to have defined that; that is rather badly defined.

12,731. (*Lord Farrer.*) When you said out of the City, did you mean physically out of the City or out of the City moneys?—I did say that rather inadvertently. What I should have said was without any cost to the ratepayers, either in the City or the Metropolis.

12,732. (*Mr. Smith.*) The City had a trust for the purpose?—Yes.

12,733. That is not out of the City's cash?—No I did not mean to say that. I beg your pardon.

12,734. (*Chairman.*) Out of trust funds of which the City Corporation are trustees?—Yes, I meant to have said—I apologise for the mistake—without cost to the ratepayers. That is what I meant.

12,735. (*Lord Farrer.*) Then you would not object to transferring the bridges, with the trust funds, to the central body?—Provided the duties go with them.

12,736. The duties and the funds?—Yes, and the funds.

12,737. (*Mr Smith.*) The obligation goes with the trust?—Certainly. The special position of the City in relation to London Government was emphatically recognised in the Report of the Royal Commission of 1854, if I may say so, which was, to my mind, a more pertinent and more useful report than the one of 1837, I think, and may I quote this little passage, page 13, of the Report:—"The importance of the "City of London in relation to the rest of the metro- "polis arises, not from its area or its population, or "even its rateable property, but from its central "position, and from the magnitude of the mercantile "and pecuniary transactions which are daily carried "out within its limits." There is a distinction very admirably put, if I may say so, which is ignored, which is not recognised by, possibly was not known to the officers of the County Council.

12,738. (*Lord Farrer.*) Do the persons who carry on the mercantile and pecuniary transactions referred to there take a large part of the government of the City?—Which persons?

12,739. Please read again the passage about London as a financial centre, will you?—"The "importance of the City of London in relation to "the rest of the metropolis arises, not from its area "or its population, or even its rateable property, but "from its central position, and from the magnitude "of the mercantile and pecuniary transactions which "are daily carried out within its limits."

12,740 The question I was asking is whether the persons who carry on these great commercial and pecuniary transactions are the persons who took or take a great part in the government of the City?—I should say not, as regards persons who are called common councillors, distinctly not, but certainly as regards the aldermen of the City; that is to say, I will put it in another way, the position of common councillor has not attracted persons of this description, whilst that of alderman has, and in my opinion tends to do so more and more every year.

12,741. But are the aldermen men who are recognised as amongst the great financial authorities in the City of London?—Financial and mercantile. For instance, Aldermen Dimsdale is one of the bankers. Aldermen Fowler was another; and of merchants there is Alderman Faudel Phillips. I should say distinctly so now, although I do not think it was always so in the past.

12,742. You have mentioned three.

17,743. (*Mr. Smith.*) One is dead.

12,744. (*Chairman.*) Not three at the same time. You have mentioned three, but the three were not aldermen at the same time?—Well, I am not prepared with the names straight off. I am not connected with the Corporation, as I said. I should say that while the common councillor's position did not attract men of that position, the position of alderman did, perhaps more at the present moment than was formerly the case.

12,745. (*Mr. Smith.*) You know what the Commissioners of 1837 said, they reported that the highest class of commercial men did not ordinarily take a share in City management?—That supports what I said to the Chairman.

12,746. I think not?—In old times I do not say it always did. Am I not right?

12,747. I think not?—I beg your pardon if I am not, but I think it supports my opinion.

12,748. (*Lord Farrer.*) To be a bank director is an object of ambition for City men?—The Bank of England.

12,749. Do you think there is the same sort of ambition to be an alderman?—No; but do you prove anything when you say that? You only say that an alderman is not the highest "woolsack" of a City man's aspiration, which is almost the case with what you have just cited. I never claimed for it that it was ever likely to become of that character.

12,750. (*Mr. Smith.*) It is rather unfortunate, you see, sir, that you have no experience of provincial corporations?—I am very sorry.

12,751. I should have asked you this question, whether you thought that the same class of men relatively took office in the City Corporation as do in our large corporations; our leading merchants, our leading professional men, and so on?—I am not able to speak with authority, but I am able, as far as my opinion goes, to say that I do not think it was so.

12,752. Or is so?—I think it is becoming more so, but I do not think it will ever become to the same extent as, in my opinion, is excessively natural in the provinces, because the opportunities of ambition and position in London are so much greater than they are in the provinces, where those are the only plums, if I may use the expression, more or less open to your provincial magnate. It is not so in London.

12,753. You might put it on a little higher ground, that of public spirit?—Well, yes; of course, I do not it will ever be like that, but I distinguish, and I think I have tried to, between aldermen and common councillors. These considerations, now far more important than 40 years ago, have been entirely ignored by the Special Committee; I meant to say the considerations of the special duties in the City; and I say that, assuming that the magnitude of London necessitates its sub-division into municipal corporations in the manner suggested, it is clear that the City needs special provision, and I submit no reason has been assigned for any alteration in, and still less for the destruction of, the City Corporation, which has shown itself in the past admirably adapted for the government of the City over which it has had jurisdiction. Well, I do not think I need support the statistical part of the City—the rateable value of the City—that you are more or less familiar with.

12,754. We have got that?—Yes.

12,755. (*Lord Farrer.*) You said that you thought the bridges might be transferred from the City to the central authority?—Yes.

12,756. Would you apply the same rule to open spaces—large open spaces I mean?—You mean like Epping Forest?

12,757. Yes?—No I should not.

12,758. Would you reserve that to the City?—Reserve that to the City.

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12,759. (*Mr. Smith.*) Would you reserve the markets?—I would reserve the markets.

12,760. (*Lord Farrer.*) The markets outside the City—Deptford, Islington?—I would not retain them all for the City.

12,761. (*Mr. Smith.*) Has not the City of London practically a market monopoly over the whole of London?—Well, I would not say practically a market monopoly, it has got, of course, a preponderance.

12,762. I suggest to you that it has?—You see you guard yourself by putting in the word practically.

12,763. There may be a few private markets, such as the Duke of Bedford's in Covent Garden, but is it not the fact that by law the City of London has certain existing markets, and no other markets can be established within a certain radius?—Yes.

12,764. Is not that a practical monopoly?—No, it is only within a certain radius, do you see.

12,765. Well, a radius which takes in the enormous portion of greater London?—Yes.

12,766. It is seven miles, is it not?—I do not know.

12,767. It is?—It may be; I could not say.

12,768. (*Chairman.*) Do you shrink from the words "practical monopoly"?—I do.

12,769. Seven miles?—Well, is that practical monopoly?

12,770. (*Mr. Smith.*) I thought I was guarding myself rather judiciously. I think I might almost have said monopoly?—I should have been surprised if you had.

12,771. Seven miles radius given.

12,772. (*Lord Farrer.*) The Deptford Market and the Islington Market—supposing those were now general markets for the City and outside the City, those you would not retain for the City?—Those I would not retain for the City.

12,773. Then who would you give them to; would you give them to the governing bodies of Deptford and Islington, or would you give them to the central body of London?—I would give them to the central body of London.

12,774. If you gave those to the central body of London, why would you not give the other markets which are just as much markets for the whole of London?—Well, because it seems to me, I do not think that I should admit that they are markets for the whole of London, and also I would not like to deprive the Corporation of the City of London of the profits which it derives from those other markets, and I do not think if you try to cross-examine like that, that if you take Deptford and Islington away that it would be a very serious inroad into the Corporation's resources.

12,775. That it would be?—I do not think it would be.

12,776. You do not think it would be?—No.

12,777. (*Chairman.*) You are giving up that which is of no value?—I think so, at any rate that is my intention.

12,778. (*Mr. Smith.*) You give them up as a matter of finance, not as a matter of principle?—I did not want so to convey. I think that in so far as you are not doing any injustice to the Corporation of the City of London, you would be doing an advantage to London, or that portion of London, because I do not think that really London as a whole would derive advantage from Deptford Market. Of course it is only for cattle.

12,779. The City does not, you say?—I do not think so.

12,780. So that you would give Greater London the skim milk and keep the cream for the City?—The City does not appropriate it to itself.

12,781. Never mind what it does with it. I want to know whether you give them up as a matter of principle, or simply because they are bad investments?—I do not think they are bad investments.

12,782. Well, not good investments.

12,783. (*Chairman.*) I do not know whether it will affect your opinion, but I think up till recent years Deptford was a very remunerative market?—Yes, it was.

12,784. (*Lord Farrer.*) The most remunerative market of all?—I do not know that, but it was much more remunerative than it has been of late.

12,785. If that revived—that remunerative quality?—I should be sorry I had given it up. I do not think—the expression is not mine—I do not think I should begin to weep over spilled milk. I am taking that from the Commissioner. He calls it skim milk, I call it spilled milk.

12,786. (*Lord Farrer.*) There is another function that the City of London exercises. They are the sanitary authority of the Port—would you reserve that to the City, or hand it over to the central body?—I would reserve that to the City.

12,787. That extends far beyond the boundaries of the City?—I know it does.

12,788. Why would you reserve that to the City?—Because it has been so admirably well managed, better managed than the functions which are entrusted to the existing sanitary authorities as far as my experience goes; and there is, therefore, no reason for any change—no grievance to redress. I am not of opinion that the London County Council can become an administrative body for all the wants of the whole of London. I do not think it is a reflection upon it. It has more to do than it can do; and I do not think its administrative duties are discharged in a manner to compare with the way in which they are done in the City of London, and its Port of London Sanitary Authority. I should particularly rely upon the superiority of the City administration as compared with the London County Council. I hope I am not saying anything to wound any susceptibilities, and I do not want to say anything to reflect upon the County Council. It does its work to the best of its ability, and marvellously well, as far as it can, in my opinion.

12,789. (*Chairman.*) You are in the nest, you know?—Yes, I am. I am not a member of the Corporation, and I am of the County Council. I have written out arguments based upon the population and the wealth. I will read them, if you would like to have them; but perhaps you would allow me to put them in without reading them. What is a still greater anomaly is the fact that although, admittedly, the population of the City of London, according to the Imperial Census, is annually decreasing (for example, there was a decrease of 12,947 between the Imperial census of 1881 and that of 1891), yet, according to the day census, taken by, and at the expense of, the Corporation, an increase of over 40,000 is shown between the day census of 1881 and that of 1891—more than this, it is well known that the City is assessed for Imperial purposes at upwards of 70,000,000*l.*, as against only some 240,000,000*l.* for the whole country. The assessment to income tax under Schedule D., of the entire county of London, excluding the City, was, in 1889-90, 28,796,000*l.* less than that of the City of London, occupying, as it does, but 1 square mile of area. And I consider that it does not want a very powerful argument to show that, if you admit the principle of local government for divided localities for which you have to fix the boundaries, it is not anything startling to claim that, for an area and a portion so distinguished from all other parts as is the City of London, a differently constituted body should be created to that which I would ask and institute for the other parts of London.

12,790. (*Mr. Smith.*) That assessment you have just mentioned is a figure quite new to me. What does that refer to, the assessment of what?—For Imperial taxation.

12,791. Oh, yes; but we are not dealing with Imperial taxation?—It is Imperial; I said so.

12,792. The local taxation, I believe, is about—the rateable value of the City is about 4,000,000*l.*?—That is so. In the county of London it is about 33,000,000*l.*: it is a little more than 33,000,000*l.*

12,793. We are familiar with all those figures. Your figure was new to me, I beg your pardon?—Under the Metropolis Local Management Act of 1855, when the powers of the old Metropolitan Board of Works were much more limited than those of the London County Council, no attempt was made to interfere with the ancient rights and privileges of the Corporation, yet by reason of the City paying one-eighth of the rates collected by that body it was granted three representatives out of a total of 60, without any restraint being placed upon their power of voting such as is done in the Local Government Act of 1888 (of which I myself have been the victim), which prohibits the representatives of the City from voting on any matters in respect of which the City does not contribute to the rates. I have been precluded from voting; I have borne it with fortitude; at the same time I have been precluded from voting on certain matters on which it was discovered the City did not contribute to the rates. That was right. But still that was not the case in the old Metropolitan Board of Works. Now, I come to the Lord Mayor. There is no reason why any alteration at all should be made in the method of election of the Lord Mayor, which has existed for centuries in the City of London, in so far as it is there required that in order to be eligible for that office he should not only be an alderman, but should also have served the office of sheriff. At present the names of two aldermen are submitted by the Livery of London to the Court of Aldermen, and that body elects one to fill the office of Lord Mayor. The valuable power of election of one of two selected by another body has been proved on more than one occasion of the greatest importance in the City of London; and a safeguard is introduced which in so important a matter as that of the choice of the chief magistrate is of the highest value. It is not proposed to deprive the livery of its parliamentary franchise, so that the injustice of taking away their time-honoured and much-esteemed right of electing the head of the Municipal Corporation of the City of London becomes all the more glaring. It is well known the Livery of the City of London is composed of men of every shade of politics, and exceeds in its representative character probably even the existing London County Council itself. The members of the Livery of the City of London reside in all parts of "Greater London," and, having a very direct interest in all that concerns the government of the City, it would appear just and rational that they should have a voice in the election of its Lord Mayor.

12,794. (*Mr. Smith.*) You know that your favourite Commissioners of 1854—not 1837—recommended that the Lord Mayor be elected by the common councillors from the councillors or persons qualified to be such?—Yes, I do.

12,795. You do not follow them in all respects?—No, I do not think I do. If I may say so they introduce too many alterations into what I consider almost an ideal body, certainly a very perfect one. I hope I may be excused for expressing very strongly the opinion, but I entertain it; the Lord Mayor of London must, before election, have served several years as an alderman and magistrate. Before becoming an alderman, he must have been elected by the ratepayers of the ward he represents; he must have been elected and served the office of sheriff before his name can be submitted to the court of aldermen as a candidate for election to the mayoralty, and both as sheriff-elect and lord mayor elect he must have received the approval of his Sovereign. The proposal of the County Council is silent as to the place of residence of the Lord Mayor. In the present day he is bound to reside at the Mansion House, and to be daily available for the discharge of the multifarious and important duties attached to his high office, so that it is essential he should continue to reside at the Mansion House as heretofore. Then I come to the powers of the Corporation.

12,796. (*Chairman.*) You know you did not respond to the vision of a glorified Lord Mayor?—No, I did not.

12,797. You think he would be inferior in dignity?—I am quite convinced that he would be.

12,798. The splendour of the flower; the flower would die away if any transplantation were attempted?—I think distinctly it would; he would be the creation of a mushroom body, called into existence six years ago, as compared with a body which has been in existence for more centuries than the other one has been years.

12,799. Why say the creation of a mushroom body; why should not this ancient body come and clothe the new, making the new old, bringing all the tradition and splendour with it?—Because in my opinion, if you were to attempt anything of that kind, it would be the London County Council which would monopolise the Corporation and it would disappear.

12,800. The County Council is too vigorous?—I think so, and too aspiring, too political.

12,801. (*Mr. Smith.*) Not sufficiently ideal?—Not at all ideal, not according to my notions. I have colleagues here present who have been there as long as I have, and we have different experiences, that is all. I am not speaking at all of any of them in their personal capacity; I have great regard for them personally, they are friends of mine; but I mean in their corporate capacity.

12,802. (*Chairman.*) Do you know that great Act to which reference has been made more than once, the Municipal Corporations Act of 1835?—I know there is such an Act. I am not familiar with its contents; I have studied the 1855 one.

12,803. The Act which constituted provincial corporations?—No, I have not read it.

12,804. I was going to ask whether you knew that under the operation of that Act, corporations which have had for their concern a small part of such great communities, as that of Liverpool and elsewhere, have had their sphere of activity and operations extended to the whole community?—Yes, I was aware of that.

12,805. Without any detriment to their glory, maintaining their old functions?—I was aware of that.

12,806. Keeping up their splendour?—I do not know the Act, but those particular sections I know.

12,807. (*Lord Farrer.*) And very much increasing their vigour and real power?—But I did not gather from that illustration at all the same probabilities as I am sorry to say you and the Chairman do.

12,808. (*Chairman.*) I beg your pardon, I have expressed no opinion whatever?—No?

12,809. I only submitted to you a conundrum?—I am very glad of that; I do not consider because that result has followed in these provincial corporations that it is at all likely or possible to follow in such a gigantic body as the metropolitan town, the accumulation of towns, as would be the metropolis.

12,810. Why not?—Because it is too large; I think that the great halo which has attached to the City Corporation has been in great part because of its restricted area, its small jurisdiction.

12,811. Is there any halo about the prefet de la Seine?—There, I do not like to pronounce an opinion, and certainly it is not an expert opinion, but I should say far less than about the Lord Mayor of the City of London.

12,812. The Hotel de Ville is inferior to the Mansion House?—How do you mean, architecturally?

12,813. No, in its functions and imposing splendour?—I should say certainly, but if you mean architecturally it is enormously superior. As regards its functions I should say inferior, very much; I do not speak with authority, but I do not think very much of the Prefet of Paris.

12,814. (*Mr. Smith.*) Have you formed any idea as to the size of a City which can be well governed by one corporation?—Well, I have thought the thing over, but I do not think you can very well found an idea, because Birmingham and Liverpool and Manchester are very great towns, and Plymouth and Bradford might be also very well governed, but I think myself that Manchester and Liverpool are

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getting very nearly if not quite almost to the extent that I think is wise. But supposing we were to double them, and that is looking very far ahead, they would then only be one-fifth of what London is at the present time.

12,815. Look at Glasgow with 700,000 people?—Yes.

12,816. And it is governed by one municipality?—Yes.

12,817. Liverpool?—500,000 in round figures.

12,818. If it is extended by the Act of this session it would be 700,000?—Yes, I do know that; and you also know that the County Council champions predict 12,000,000 for London. I do not know whether you think 700,000 is any guide for 12,000,000.

12,819. I was taking 700,000 as at present?—Taking that against 4,000,000 or 5,000,000.

12,820. Have you formed any idea?—I have an idea that they have reached the size at which it is expedient that you should vest the control in one great municipal body.

12,821. That you say without any experience of their work or of their constitution?—Of their size; if like ours I think it would be better if we could limit it to 400,000 or 500,000.

12,822. It is unlike yours in every way; and you expressed an opinion as to the size without knowing anything of the practical working of these towns, or of the laws affecting their constitution?—I did not intend to.

12,823. I thought you did?—Perhaps I did; I did not intend to.

12,824. I think you expressed the opinion that Manchester and Liverpool were dangerously approaching a size which you consider undesirable for one government?—I did not know that I did, but I may have done so. I did use the expression "dangerously," but you asked me, I understood, whether I had formed an opinion as to the size at which it was inexpedient to vest the control in a local body.

12,825. Yes, that was it?—Well, to that extent I was—of course, I do not know anything about provincial matters—judging by London experience, and I consider that a population of 500,000 or 700,000, and at the outside, if you like, a million, is about the limit which can be advantageously governed; I do not know anything about provincial matters.

12,826. Based upon your London experience?—Based upon my London experience entirely. I would rather not give evidence upon provincial management, because I do not know anything about it.

12,827-8. (*Chairman.*) But we have to look at the comparative anatomy of provincial municipalities?—Exactly. You have better means of getting information upon that subject than I am able to give you. Whatever may be the form which the government of London will ultimately take, it is incredible that Parliament would ever sanction the proposal that the citizens of London should be altogether deprived of the ordinary privilege of local government, and the management of their own local institutions, as, for instance, the Guildhall Library, Museum, and Art Gallery, the City of London School, the Guildhall School of Music, the Freemen's Orphan School, Ward's High School for Girls, Open Spaces in the City, Stone Lunatic Asylum, &c.

12,829. (*Lord Farrer.*) Open spaces in the City?—In the City. Other local authorities throughout the Metropolis are apparently to continue to manage their own free libraries, public baths, and washhouses, &c.; but for some unexplained reason these local privileges are taken away from the area which for more than seven centuries has enjoyed the privileges of municipal government.

12,830. (*Chairman.*) Has that been proposed?—I understood it was proposed by the County Council. I thought I saw it in the County Council scheme.

12,831. (*Lord Farrer.*) Would you read those words again?—Other local authorities throughout the Metropolis are apparently to continue to manage their own free libraries, public baths, and washhouses, &c.; but for some unexplained reason, these local privileges are taken away from the area, which for more than seven centuries has enjoyed the privileges of municipal government. I have gathered from the London County Council scheme that they propose to take over the Free Library, the Guildhall School of Music possibly; I do not suppose they would provide a gallery of art or pictures, but at any rate those subjects are cared for by the City Corporation. It is proposed to withdraw those from the Corporation of London, or at any rate it is not included in the powers, I think I can say that confidently, in the duties which they were good enough to say they would leave to the City of London. I now come to property and finance. Considerable stress is laid by the special committee of the London County Council on the fact that the City is exempt from rating in respect of certain matters, but it must be remembered that this exemption from the county contribution is specially defined in the Local Government Act, 1888, as being in respect of various matters carried out by the Corporation, partly out of its own funds, and partly out of rates raised in the City, such as the inspection of weights and measures, care of lunatics, gas meter testing, proceedings under the Explosives Acts, the Artizans' Dwellings Act, and the Reformatory and Industrial Schools Acts.

12,832. Those are things which in the City are arranged by the City?—Certainly.

12,833. But in the rest of London are managed by the County Council?—By the London County Council.

12,834. That raises a question that I wanted to ask you. You think that those ought to be reserved to the City?—I do.

12,835. And do you think they ought to be transferred to the local bodies outside the City?—No, you see they have not got them; local bodies have not got these powers, such as gas meter testing, that the City possess.

12,836. You know you have said that you think the London County Council have got too much to do?—Certainly.

12,837. And you would like to relieve them by transferring certain things to local governing bodies?—Certainly.

12,838. Still there are certain things within the City which are done by what we may call the local governing body of the City, which elsewhere are done by the London County Council?—Yes.

12,839. Are those things which you would, throughout London, place in the hands of local bodies rather than in the central body?—Not all.

12,840. Which of them?—Weights and measures I would.

12,841. (*Chairman.*) You would make that a matter of local concern?—Certainly.

12,842. Why?—Because I think that they could do it more efficiently, more searchingly, and possibly a little more economically. I want to give, as I endeavoured to explain to the Commission, I want to give to the central authority as little as I can.

12,843. We all agree upon that, but it is a question of more or less; the real question is whether that is a function which would be best exercised by a central or by a local body?—I think by a local body.

12,844. (*Lord Farrer.*) Are you aware that with regard to weights and measures there have been very considerable difficulties from small local bodies having the management of that duty and from a consequent want of uniform control of weights and measures throughout the country?—Throughout the county?

12,845. Throughout the country; are you aware that that was found to be the case at the Board of Trade and there have been Acts passed to endeavour not exactly to centralise more, but to make administration more uniform?—Yes, I was aware of that.

12,846. And you would agree that it is extremely desirable that throughout London the administration should be as uniform as possible?—I should.

12,847. I am asking really for information; is not that one of the things which it is very desirable there should be some central body in London to control?—Which? weights and measures?

12,848. Yes, weights and measures; the inspection of weights and measures?—I do not know; perhaps it would be; but I think it would be more expensive and I doubt if it would be as efficiently done; but possibly those advantages which I still feel, notwithstanding you press me, should be subordinated to the conceivably greater uniformity which I recognise is the primary object. I believe it would be more efficiently done, but even if I am right in that, that would be secured at too great a cost if there were a risk of surrendering any part of the uniformity.

12,849. (*Chairman.*) I may encourage you by saying that we have had evidence before us that the arrangements of the London County Council are extremely inconvenient in respect of weights and measures?—Yes.

12,850. It is a question about which anybody may hesitate?—I did not know you had; at all events, I think the Commission will appreciate a little that there is *pro* and *con*.

12,851. (*Lord Farrer.*) I am asking you because it is a question about which a doubt has been raised?—Yes, and there is such a thing as artizans' dwellings which I strongly myself would confide to local bodies, and again, such things as the Reformatory and Industrial Schools Acts, I would not put them on local bodies as I would in the City, which possesses the machinery and the existing institutions.

12,852. You would not put those on local bodies?—I would not put them; I am not sure that I would put them on the other bodies; but there again I am not so concerned to secure them for the other local bodies as I am to retain them for the City. I must admit I have not examined this part of the question with care, but my present disposition is to say that I would not give them to the local bodies, but I would not like to be thought as giving a considered opinion about that. My object was principally to press for the retention of those duties in the City; that is my object.

12,853. May I, before we leave that subject, ask you this? You have spoken of relieving the central body; are there any other functions that you think ought to be transferred to local bodies from the central body?—Not more than I enumerated some time ago, they do not occur to me now, but perhaps the Commission will allow me to express my apologies for having placed before them statements rather hastily prepared, so that I have not been able to consider every detail of this very large and very complicated subject.

12,854. (*Chairman.*) We are very much obliged to you?—We have not had the ratepayers' money at our back like the County Council, nor have we had the assistance of a, I have no doubt very learned, and I dare say very experienced, barrister-at-law; I have been obliged to collect those things in the crude form, I submit them with many apologies, and that is the only way I can do it. With regard to the proposed transfer of City Corporation property to the new Corporation, it must not be forgotten that whilst the London County Council estimates the capital value of the land and buildings belonging to the Council, including surplus lands, at 2,350,000*l.*, there is an enormous debt outstanding, which on the 31st March 1893 amounted in the gross to 31,421,323*l.* 9*s.* 4*d.*

12,855. (*Lord Farrer.*) You are aware that the Corporation have distinctly refused to give us those figures?—I am not giving you those as official, I will tell you the source from which I got them. (the net liabilities being given at 18,042,751*l.* 2*s.* 7*d.*,) whereas the Corporation, after having provided for every liability has, it is understood, a surplus of at least four and a half millions sterling, exclusive of its public buildings, estimated roughly at two-and-a-half millions. I will tell you how I got this. I cannot quote official documents for that, because I have not got them, but I obtained those figures from the report of a debate which took place in the Court of Common Council, and which was reported in one of the City papers.

12,856. (*Chairman.*) This year?—Yes.

12,857. Whose language is it you are quoting?—I am not sure that I could tell you that, but it was publicly stated in debate, and although I am not here as inspired by the Corporation, I think you may take it as reliable.

12,858. (*Lord Farrer.*) You are aware that they refused to give it to us?—I did not know that they refused to give figures. I knew that they withdrew from the Commission; my friends behind me are in possession of much more of your proceedings than I am; I only know what has been published in the newspapers.

12,859. (*Mr. Smith.*) They withdrew practically on the same day that they were asked for that balance sheet?—I have no balance sheet here.

12,860. You must have a balance sheet to show a balance?—I have never seen a balance sheet.

12,861. No, but you are quoting one.

12,862. (*Chairman.*) I am afraid it is rather vague, but you are quoting what some unknown person said in a debate in the City Council?—Quite so.

12,863. If you quoted in that way what some member said in the House of Commons it would be utterly worthless?—I do not ask you to accept it for more than it is; I have no means of getting that information, or if I had I did not deem it right to apply for it.

12,864. (*Mr. Smith.*) What we have got in evidence as a fact is that on the income and expenditure, at all events for the last year or two, there has been a deficiency?—I am much obliged to you for having said that, but I was under the impression—of course I have not had the opportunity others have had of knowing what you have done—but I am under the impression that that is the evidence of one of the witnesses called on behalf of the County Council. I think it was the vice-chairman, speaking from memory; I do not know in what way he supported that fact.

12,865. I do not think it was seriously contested by the gentlemen who appeared for the Corporation, the figures were admitted?—What? that there was a deficit?

12,866. Yes?—I do not know how that was, but I always accept the evidence of hostile witnesses a little *cum grano*. I do that; of course the Commission will take it for what it is worth, all of it, and I have no doubt this body can quite well estimate the value of the evidence upon the various subjects. And then again strong objection must necessarily be raised to the proposed amalgamation of all sources of income arising from property, whether belonging to the Corporation or the London County Council, having regard to the important fact that the Corporation of London have specific trusts attached to many of their funds, whilst the London County Council have no such trusts; and I would add to the fact that the funds, that is called the City's cash, emanated exclusively from sources to which, never in the history of the Corporation, anybody has contributed except within the City area; and to hand this over bodily to a body quite outside seems to me, with all submission, to be most unjust and most irrationa

12,867. Leaving out the City's cash, no one has proposed to alienate the trust funds from the subjects to which they were allotted?—No, I did not suppose they could, of course they cannot. It is a breach of trust if they do.

12,868. (*Chairman.*) But you comment on the enormity as if it were proposed?—I did not intend to convey that impression.

12,869. Let us have your words again: Strong objection must necessarily be raised to the proposed amalgamation of all sources of income arising from

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property, whether belonging to the Corporation or the London County Council, having regard to the important fact that the Corporation of London have specific trusts attached to many of their funds, whilst the London County Council have no such trusts.

12,870. Does not that mean that the proposal has been made to amalgamate, fuse together, funds without regard to the fact that some portion of some funds are charged with specific trusts?—I do mean that, but I do not suppose that when they had passed they would violate the trusts, in fact, I know that in terms they say they will observe these conditions and trusts, and I should imagine the Court of Chancery, at present, is superior even to the London County Council, and would arrest them straight away if they made any such effort.

12,871. (*Mr. Smith.*) I think you consider your Council *capable de tout?*—I think it is the other witnesses who do that. It is the other witnesses who think the Council are capable of anything; it is because of their unbounded belief in their capacity that they would undertake anything. I once called them in the House of Commons undertakers. I beg the Commissioners' pardon for being so long. Now I come to the City Commissioners of Sewers—the suggestion that the City Commissioners, who are to be merged in the proposed City local authority, shall be under the control or supervision of the new municipality, notwithstanding the fact that they are not at present supervised by the London County Council.

12,872. (*Chairman.*) What do you mean by under the control or the supervision of the new municipality; what new municipality have you got in mind?—Their globular municipality, the County Council; I do not know what they call it, the new Corporation of the City of London.

12,873. The Commissioners of Sewers would be under the superintendence and control in a different sense than the vestry of Marylebone is under their control?—They would be under their scheme.

12,874. Oh, no?—I gathered that.

12,875. Oh, no, the Commissioners of Sewers with a new municipality perhaps, or just with reference to the new governing body in the City of London, may be said to be under that just as they are now?—Which? The Commissioners of Sewers are part of it?

12,876. Under the Corporation of London now?—Yes, I know.

12,877. Yes, and the Commissioners of Sewers might perhaps become the governing body of the City of London in the future?—Yes.

12,878. Or if not the same it would be under the same governing body, but it is not proposed that they should be under the County Council of London any more than the vestry of Paddington or St. Mary Abbotts, Kensington, should be under it?—Not by the County Council scheme?

12,879. No, their proposal and scheme is that the City of London should be like Paddington, Kensington, and Chelsea?—Yes, but the Commissioners of Sewers at the present moment are distinct from the Corporation of the City of London.

12,880. That may be, but still subordinate?—They have rating powers.

12,881. That may be?—They do as a matter of practice, not at all by statute or by law, consist of members of the Corporation as you are aware.

12,882. All that is quite immaterial; the point is that you are in error if you suppose, as far as I can understand their scheme, that the London County Council suggest that the body that does the work of the Commissioners of Sewers in London should be under any control or supervision of the County Council of London?—Of London.

12,883. No more than that the vestry of Paddington should be under their control?—I know that about the vestry of Paddington.

12,884. That they both should take the same position and discharge much the same functions as the vestry of Paddington or the vestry of Chelsea?—May I say at the present moment that the Commissioners of Sewers, although a *quasi* distinct body from the Corporation of London, yet are subject to the very effective control of the Corporation by the reason of the fact that the existing Commission can be at any moment superseded by the issuing of a fresh Commission under the seal of the Corporation; and although for convenience sake the Corporation find it desirable to appoint as Commissioners members of its own body, it is not bound to do so under the Statutes affecting the appointment of the Commission (the Commissioners of Sewers Act, 1848 and 1851) which I had in my hand when drafting this paragraph. I apologise if I have made a mistake in what I attributed to the County Council. Possibly I have done them wrong because I did not have enormous time since I was summoned here. The Commissioners of Sewers, whether merged in the proposed new body or not, should, as the representatives of the ratepayers, be allowed to continue to enjoy the same advantages that they now have as regards the services of the Parliamentary Officer of the Corporation, the City Remembrancer and his staff, the expenses of which office are wholly borne by the Corporation, and no part of which comes out of the rates. Now as to the sheriff. The proposition to allow the council of the new corporation to elect a sheriff, or two persons to fulfil the duties attached to that office, besides depriving the Crown of the right of nominating the sheriff of the County of London, would revive the old struggle between the Common Council and the livery of London which was put an end to so far back as the 15 Edward 4, and introduce the anomaly of having a sheriff elected by a body which would practically be composed of the representatives of electors outside the City, and altogether interfere with the very ancient and much esteemed privilege of the livery of London, which body it is not suggested by the County Council scheme should be abolished, because it is proposed it should continue to exercise its parliamentary franchise. Assuming a change to take place in the constitution of the central authority, there would not under any circumstances seem to be a sufficient reason why the Crown should not nominate the sheriffs from the body of aldermen who had not previously served the office, in the same way that the Crown nominates the sheriff of the County of London. Now I come to a different branch of my subject, which I do not know whether you will consider germane to the government of London, but for some unknown reason, unexplained reason, it has been imported into the scheme of the County Council, and that is the administration of justice, and the Recorder and Common Serjeant. Administration of Justice.—It is generally admitted that the Corporation of London have rendered efficient public service, by the way in which they have assisted and financed to a considerable extent the administration of justice (*e.g., inter alia* by the payment of the salaries of the Recorder and Common Serjeant) not only within the City but within the large area comprised in the jurisdiction of the Central Criminal Court. The ancient offices of Recorder and Common Serjeant have always been filled by men of the highest distinction at the Bar, having been rendered attractive for the following reasons:—1. By the exceptional antiquity and dignity of the position. 2. By the salaries attaching to the several offices being of a sufficiently remunerative character to tempt distinguished lawyers to give up a lucrative practice and other chances of professional preferment. 3. By reason of the fact that the Recorder and Common Serjeant, although having many and important duties to discharge, enjoy a reasonable amount of leisure and fixed periods of vacation. 4. By the fact that these officers are not exclusively criminal judges, which to many men would be in the highest degree distasteful. The Recorder and Common Serjeant preside as Commissioners at the Central Criminal Court every month, and each of them disposes of a greater number of assize cases in the course of the year than all the

judges put together. For instance, a calendar of 100 at Liverpool is regarded as one of an exceptionably heavy character, and criminal assizes are only held there three or four times a year.

On the other hand at the Central Criminal Court there are 12 sessions in the year, and the calendar nearly always exceeds 100. In the month of September alone, when in order to provide for the period of vacation there is an interval of six weeks between the sessions the calendar generally mounts up to nearly 150. Nearly all these cases are disposed of by either the Recorder or Common Serjeant, a small percentage only, including murders and some manslaughters, being heard by one of Her Majesty's judges.

When not sitting as Commissioners of Assize these officers preside at the Mayor's Court, a very important court of record.

In the scheme of the London County Council it is proposed that these two officers should no longer act as judges of the Mayor's Court, but that they should when not sitting at the Central Criminal Court dispose of the business of the County of London Sessions.

I have had conversation, I may admit it at once, with the Recorder in the House of Commons, and with the Common Serjeant at the Carlton Club, of which we are both members, and from them I got such information as I desired to place before the Commission with regard to these offices. Such an alteration would destroy the whole character of these important offices, and take away the principal attraction, viz., that they are not exclusively criminal judgeships, and it is confidently anticipated by those members of the profession who seem most able to give an opinion upon the subject that the inevitable result of such change would be that the same class who have hitherto filled the offices of Recorder and Common Serjeant would not be in future secured. The scheme of the London County Council provides that hereafter until the Home Secretary otherwise determines (although it is difficult to see what that Minister can have to do with a local court of record), the Assistant Judge of the Mayor's Court shall be the sole judge of that court. This suggestion can scarcely have been made by any one acquainted with the constitution and procedure of the Mayor's Court. The present Assistant Judge of the Mayor's Court fills very much the position of a Master of the High Court, and is called upon to deal from day to day with the large mass of interlocutory business which arises in Chambers, the cause list which is issued prior to the monthly sittings of this court numbering generally considerably over 100, sometimes as many as 140 or 150. The Assistant Judge also disposes of the judgment summonses, and presides over the trial of actions during the August sittings of the court, when the Recorder and the Common Serjeant are enjoying their annual holiday. He does not otherwise preside over the trial of actions except in the absence through illness or unavoidable causes of either the Recorder or Common Serjeant, or in those cases where it is necessary to hold the sittings of the court during the continuance of the sessions of the Central Criminal Court in order to provide for the Christmas, Easter, and Whitsuntide holidays. It must be manifest to anybody acquainted with the administration of justice that the character and usefulness of a court depend upon the confidence reposed by solicitors and the public in the judges who preside there, and to hand over such a court as the Mayor's Court to the exclusive charge of the Assistant Judge would amount to a practical extinguishment of the court altogether.

I am entirely and solely responsible for all this, although I have told you how I have got my information about the statistics and about the number of cases coming before these judges. I may say that my own personal experience in the City induces me to confidently inform the Commission that the Mayor's Court is one in which immense confidence is reposed by City litigants, and is one to which they can more willingly resort than the High Court of Justice, because of its being less costly and more expeditious, and I dare say the Commission are aware that such men as Sir Henry James, Lord Halsbury, and many others laid the foundation of their very brilliant careers in the Lord Mayor's Court. The business of the Court is rapidly increasing under the present arrangements in usefulness and efficiency, and during the period that the late Mr. Russell Gurney was Recorder proved a valuable source of revenue to the Corporation. Those who are responsible for the proposals of the London County Council now under consideration are also evidently wholly unacquainted with the character of the large mass of business now disposed of at the Quarter Sessions of the County of London. Twelve sessions are held annually at the Sessions House, Newington, for disposing of cases arising in the County of London, south of the Thames, and General or Quarter Sessions are held usually twice a month at Clerkenwell for the disposal of cases arising north of the Thames within the County of London. Assuming a scheme of amalgamation were framed, the business of the Courts of Quarter Sessions would be to some extent increased by the trial of purely sessions cases committed from the Guildhall and Mansion House Justice Rooms which are at present tried at the Central Criminal Court, and also by being required to dispose of the appeals from the decisions of the aldermen sitting at the Guildhall and Mansion House Justice Rooms. I am ready to elaborate this, but I refrain from doing so because I do not want to occupy the time of the Commission. If the Commission will allow me to put it in it will be printed. The congestion produced in the sessions of the county of London by the policy of the Council in its appeals against assessments I daresay you are acquainted with and I submit, if it be intended to assign these duties to the Recorder and Common Serjeant of the City of London, they would be simply taking them away from duties which they hitherto for centuries have discharged, and entrusting them with duties which I believe they never could carry on any more than was found possible by the machinery erected under the Local Government Act of 1888.

No doubt the criminal business transacted in the First Court at Clerkenwell and Newington is of an important character, but that disposed of before the Chairman of the Second Court is usually very trivial in its nature. To occupy a judge with the experience of the Common Serjeant, who receives a salary of 2,500*l.* per annum, in the disposal of such matters would be a great waste of judicial strength for no conceivable purpose, and if the Recorder and Common Serjeant, in addition to discharging their duties as Commissioners at the Central Criminal Court, are also to dispose of the business of the London Sessions, it would be necessary that they should sit practically every day throughout the year, and even then assuming they had the assistance of another judge, which seems to be contemplated by the scheme, it is extremely doubtful if they could get through the business at all. There are only two Courts at Clerkenwell and two at Newington, and therefore it is physically impossible that more than two judges could sit at one time. By the provisions of the Local Government Act of that year the Court of Quarter Sessions for the County of London was saddled with the whole of the business of the Court of Assessment Sessions. Experience has shown that this was a very unwise experiment. The number of appeals in the quinquennial year is, of course, very large, and the amounts in dispute are also very considerable. Difficult questions of law and of fact constantly present themselves, and the effect in the last quinquennial year of calling upon the Chairman of the London Quarter Sessions to discharge these duties in addition to the ordinary duties of his office, was to produce a complete paralysis of the whole business of the Court. It seems in the highest degree objectionable that, as the London County Council are parties to a large number of such appeals, they should be dealt with by a judge who is paid by

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that body, and who may have occasion to apply to them from time to time for an increase of salary. No sufficient reason has yet been advanced for making alterations such as those suggested, which, if carried out, could but impair the dignity and importance of these ancient offices, the office of Recorder dating back to the 12th century, and that of the Common Serjeant to the year 1311. I pass, now, to aldermen as magistrates. There seems to be no sufficient reason why any interference whatever should be made with the powers of the aldermen to continue to preside and administer justice at the Mansion House and Guildhall justice rooms. It may be said that this is an anomaly, but no one has ever suggested that the work is not admirably done. Moreover, having regard to the fact that the Lord Mayor has for so many centuries filled the position of chief magistrate of the City, it would seem highly desirable that he should continue to preside at the Mansion House justice room during his year of office, more especially as it is, of course, assumed that any Lord Mayor would by several years' previous service as alderman acquire an exceptional experience. Should the change contemplated by the London County Council be effected, there is not the slightest reason to believe that the work would be better done than heretofore, and the cost of providing four additional metropolitan police magistrates to discharge the judicial duties now performed by the aldermen would be not less than 6,000*l.* a year for salaries alone. Experience has abundantly proved that throughout the Metropolis the business of a police court cannot be efficiently carried on without having two magistrates attached to each court. Reference to the City accounts for the year ending 31st December 1892 will show that the excess of expenditure over income in respect of the magistracy is already 6,700*l.* a year. From the proposals of the London County Council as to the future disposition of the Mansion House and Guildhall justice rooms, it would appear that they contemplate further increasing the liability of the ratepayers by the amount represented by the salaries of four additional police magistrates, in other words, as has been already pointed out, by no less a sum than 6,000*l.* per annum. Police. The proposal that the Council of the new Corporation should control the police of the City has not been supported by a single argument, as far as I am aware, in the scheme submitted by the Special Committee. The London County Council is not at present intrusted with the control of the Metropolitan Police, so that it would seem almost grotesque to vest in them control over the police of the existing area of the City of London. The primary duty of the police being to maintain order, it is surely pre-eminently desirable that their control, even more in the City than in any other part of the Metropolis, should not be vested in a body necessarily at times strongly impregnated with party feeling, and whose members may deem it their duty to take part either on one side or the other in labour disputes which arise from time to time. The City differs so much in its locality, and in the nature of its property, from other parts of London, that a differently regulated police force for its protection is absolutely essential. Absolutely no reason has been advanced why the City police should not continue under the control of the Lord Mayor and Aldermen elected within the City area, and governed by regulations which, before they acquire validity, have to receive the approval of Her Majesty's Principal Secretary of State. One-fourth of the expenses for police is borne by the City's cash, and the remaining three-fourths by the City ratepayers without any subsidy from the Government. In 1891 the Corporation contributed 30,115*l.* 11*s.* 3*d.*; in 1892, 32,340*l.* 11*s.* 4*d.*; and in 1893, 29,469*l.* 16*s.* 6*d.*, so that in round figures the City ratepayers would be the losers in actual cash of some 30,000*l.* a year were the crude suggestions of the special Committee carried into effect. It must not be forgotten that the City is peculiarly situated so far as its night population is concerned, the City being nightly deserted and property of the estimated value of very many millions left solely to the care of the police. More than this, within the area controlled by the City police we have the Bank of England, St. Paul's, the General Post Office, Custom House, Royal Exchange, Stock Exchange, Guildhall, Mansion House, Lloyd's, the halls of the livery companies, over 200 banks, the head offices of the great insurance companies, the principal safe deposit companies, to say nothing of the innumerable warehouses and offices. One not unimportant fact may be added, that the Corporation provides for the use of its police a hospital under the control and management of the surgeon of the force, as well as barracks for the accommodation of the men. It also contributes largely to the Widows' Pension Fund. Next as to the lieutenancy. I have never been connected with the Corporation of the City, but I am one of the deputy lieutenants of the City. The proposed interference with the Lieutenancy of the City is wholly gratuitous, and forms no necessary or even consequential part of any scheme of amalgamation, and seems to have only been inserted in the scheme of the Special Committee of the London County Council for the purpose of depriving the citizens of yet one more of their valued privileges. As is well known, the Lieutenancy of the City is a Commission named by the Crown and issued under the Privy Seal under an Act passed in 1673. The powers of the Commissioners are regulated by Parliament, and statutory authority is given for the levying of the trophy tax or militia rate, which amounts on the average to a rate of about ½*d.* in the £. In the Army Regulation Act care was always taken to introduce a clause reserving the right to levy this tax, and if any objection could reasonably be raised to the existence of this body, surely ample opportunity has been afforded to Members of Parliament to criticise its composition when saving clauses were proposed. The City Lieutenants, unlike the Deputy Lieutenants in other counties, enjoy the unique distinction of holding their commissions direct from the Crown, and not from any Lord Lieutenant, as in other cases. No explanation has been offered why the present Commissioners should be abolished, and their properties, debts, and liabilities handed over to the Secretary of State for War. The last subject is the Irish Society. The proposal with regard to the dissolution of this body is as gratuitous as many of the other suggestions in the scheme. The connexion of the Corporation with the estates of the Province of Ulster, over which the Irish Society exercises control, began in 1609; and the very antiquity of the society should be deemed at least as a presumptive reason for its retention, seeing that no suggestion for its termination has ever emanated from the Corporations of Derry and Coleraine, who are at least more directly affected than can by any possibility become the London County Council. It must not be forgotten that the Corporation exercises visitorial or superintending power over the conduct and proceedings of the Society, and the Select Committee of the House of Commons appointed in 1889 to inquire into the terms of its charters specially reported that there was no complaint as to the manner in which the Irish Society had performed its duties. I have thus endeavoured to submit the grave objections which I think attach to the proposals of the scheme of the special committee of the London County Council. In my judgment they do not offer any contribution whatever to the improvement of the government of London, but on the contrary, while ignoring the growing population of the Metropolis, and the consequent increasing magnitude of the task of its government, they tend to aggravate existing inconveniences by vesting new duties and larger responsibilities in a body already over-weighted with work. I am convinced that the best if not indeed the only means of solving the problem of the government of London is to be found in its division into municipal corporations of which

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the number and area might perhaps follow the existing District Boards. I believe there are at present 27 of these boards, which would possibly be too large a number of municipal corporations, although the population of each would be far greater than many of our large provincial municipalities. Probably the Commission would prefer to recommend a judicious grouping of localities, and I think were London divided into, say, 15 municipalities (there are at present 15 vestries) besides the City, a powerful step will have been taken alike in the improvement of London government and in generating local interest in local administration.

12,885. (*Lord Farrer.*) I should like to ask one question about that: but supposing we were in favour of what you propose, would you propose that the powers of the central body should extend over neighbouring municipalities, such as West Ham?—Emasculated as would be the central authority, according to my proposals, I would.

12,886. My principal object has been to show that for a district with special requirements like the City a specially constituted governing body is indispensable, and I think little improvement can be devised and little change is necessary in the constitution of the present City Corporation. With regard to the central authority, which might remain the London County Council, I have no alteration to suggest except that I see no necessity, as already stated, for the retention of aldermen on this body, and while for each of the local corporations I think the election of councillors should be annual, I have no objection to urge to the elections to the central authority being, as now, triennial. The representation of the City on this central authority is at present transparently inadequate. The claims of the City to adequate representation on the central authority were recognised in Sir William Harcourt's Bill in 1884. In introducing the Bill, Sir W. Harcourt said (8 April 1884): "In regard to the City of London, having "respect to the smallness of its resident population "and the greatness of its rateable value, we do not "think it would be fair to deal with it on the same "footing as the other districts, and we have given it "a proportion of representation based upon rateable "value only." Sir W. Harcourt's Bill provided as the Commission are probably aware, that the representation of other districts of London should have regard as well to population as to rateable value, which is the principle followed in the Municipal Corporation Act and the Metropolis Management Act. This would appear, for a municipal authority, a more rational and equitable principle than that adopted in the Local Government Act of 1888, which assigned to each constituency returning members to the London County Council double the number returned by the same electoral area to Parliament. For the City the principle of rateable value only seems almost dictated seeing that, as has been shown, its resident population, on which the Parliamentary electoral areas have been more or less based, affords no indication whatever either of its wealth, its importance, or its responsibilities. I should like to be allowed to put this in, and I apologise for not having presented a more carefully prepared document. I have done the best I could with the resources at my command and in the very limited time at my disposal.

The witness withdrew.

Mr. Robert Crawfurd Antrobus, a member of the London County Council, called in and examined.

Mr. R. C. Antrobus.

12,887. (*Chairman.*) You are a member of the County Council?—Yes, sir.

12,888. You have heard the evidence of Mr. Boulnois and Mr. Cohen?—Yes.

12,889. We need not repeat that except so far as you wish to modify any expression of opinion on your own account?—Well, I did not hear Mr. Cohen very clearly. It was very long and I did not get it very clearly. but I know there are some points in which I do not altogether agree with him.

12,890. Well, starting from the commencement, you assent to the creation of a central body to be charged with certain functions?—Yes, and I urge the establishment of a number—well, of local municipalities, a number to be fixed according to circumstances, on investigation.

12,891. (*Lord Farrer.*) Both by direct election?—Both by direct election, certainly.

12,892. (*Chairman.*) I was going to ask, have you any suggestions to make as to the way in which the central body is elected—constituted?—I think that the separate municipalities, each separate municipality, which would have its own mayor, aldermen, and councillors, should according to a scheme to be framed, send up a certain number of councillors, and I should like to see each separate municipality send up its own one or two, or whatever the number may be, local aldermen.

12,893. Let us understand, because that I think rather differs from the answer you gave just now. I thought you gave an answer to Lord Farrer that you would like both the central body and the local bodies directly elected?—Yes, sir, I confirm that.

12,894. You confirm that?—Well, I presume it would be necessary to have two elections in each area, one for its own municipality and another for the number of members they may have to send up to the central body; that is what I meant by my answer; both those elections would be by direct election.

12,895. Then you do not propose that the local elected body should send on members to the central body?—I should like to see it and personally I should be satisfied with it, but I feel that it is rather against the spirit of the age. For instance, we have the Metropolitan Asylums Board in London now, to which that objection is taken. The same objection used to be taken, and strongly, to the constitution of the Metropolitan Board of Works, and, personally, I should not mind it; but there would be this difficulty, that if you sent members to the central body from the separate municipality, one election really would send up to the two bodies, and you might very often get men in a local area who would be able and prepared to give the time to serve in their own municipality, but who would say, "I have not time really to do the "duties of the two offices," therefore you could not quite send up. If, however, it were considered satisfactory, it would satisfy me. What I mean is you might have, say, four aldermen, one, two, three, four, and the rest of the separate municipality, and send up ten, the two senior aldermen by election of votes in their own municipality, and a certain number of councillors. That would satisfy me, but those two men who had been elected as senior aldermen in their own area might not be able to give time or attention to the second office.

12,896. (*Mr. Smith.*) Another objection would be, would it not, that you would be sending up, presumably, two of your best aldermen, and probably a certain number of your best councillors to do work outside the local body?—Yes, if they felt they could give the time I should not object to that, and no doubt in result you would find that was so, that a certain number of men would be on both bodies, on their own municipality, and go up from that area to the central body.

12,897. I thought there would be a difficulty about the time, probably?—That they would be able to give?

12,898. Yes?—That is what I have stated.

12,899. (*Chairman.*) The point that I wished to get quite clear was this. Do you, or do you not, wish any indirect election upon the central body? That is to say not election at first hand, but an election by an

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elected body?—Personally I should be satisfied with that; I have stated the objections to it and it is against the spirit of the age.

12,900. It is a sort of counsel of perfection, we need not dwell upon?—Yes.

12,901. You put aside that election altogether?—A direct election, I think, would be best.

12,902. Taking the central body, the county council, as elected, leaving for a moment the question of aldermen, have you any suggestion to make as to the way in which the councillors are elected; are you content with the present system?—Except that they would come from a larger area which I hope to see established, I have nothing to say against it. I would suggest that they should come from the separate electorate; the same body of voters that are on the register now would elect the separate municipality.

12,903. No, no; you have got a county council, you have agreed you are to have a county council with its members elected. Putting aside for a moment the consideration of the question of aldermen—they are elected now by certain persons qualified to elect them—have you got any suggestion to make as to a change in the method of electing that body?—No, I do not wish to make any change in the electorate.

12,904. And in the way of electing them?—It seems to me that must depend upon the constitution of your areas.

12,905. I do not care what the area is. What is your own district?—St. George's, Hanover Square.

12,906. Very well, take St. George's, Hanover Square. That sends a number of county councillors to the County Council?—Yes.

12,907. Do you want to make any change in the way those councillors are sent?—Circumstances being the same, certainly not.

12,908. You would like to have them all elected once in three years?—Yes, I think that on the whole is the best.

12,909. The best plan?—Yes.

12,910. Then have you any suggestion to make with respect to the aldermen; would you desire to retain them?—I hope we shall have aldermen; I think it is an institution which, properly used, might be of great service. It was so more in the first Council than I think it is now in the second Council, because I think the proper plan of choosing and electing aldermen was better carried out then than it is now.

12,911. What is the plan you recommend should be adopted and pursued in the future as to the election of aldermen?—Assuming that separate municipalities are granted?

12,912. Go on?—Pardon me, I must put it in that way, because in that way I think they will each send up their quota of aldermen; but if these separate municipalities are not established and aldermen do not exist in a separate area, then I do not know that you can alter the way in which we choose them at present, although I do not like it.

12,913. Well, what I understand is this; that you would prefer that each separate locality should send up a distinct body of aldermen?—I do.

12,914. But if that is not done, you do not object to the present way in which aldermen are elected?—I do not see an alternative although I not like it.

12,915. Very well then; let us understand things. How do you propose that these separate local bodies which you call municipalities should choose their aldermen?—Locally, of course. I should like to see them elected by the popular vote; but, I believe, that would be an innovation upon the principle of aldermen, who are generally elected by the Council. They would be elected by the Council, I suppose, if it were not considered advisable to let them be elected by the popular vote like the councillors.

12,916. Never mind about its being an innovation at all, say what you would prefer?—I should prefer to see them elected by the popular vote.

12,917. The aldermen on the County Council?—I thought you were asking me on the subordinate body.

12,918. No, we were talking at present about the constitution of the County Council. We have agreed as to how the County Councillors should be elected; then I asked you to consider the question of the aldermen on that County Council, how should they be elected, and I understood you to reply that you would prefer them to be directly elected?—No, sir, I did not mean that; I am afraid I was misunderstood; I should like to see the aldermen in the subordinate separate municipalities so elected.

12,919. I have not come to them yet. We are now dealing simply with the central body; do you desire to preserve aldermen in the County Council?—I do.

12,920. How would you have them elected, by the present plan or by what plan?—By a delegation from a subordinate body if it exists, if it does not exist by election in the present manner as in our Council.

12,921. Now then, how would you get them delegated by the subordinate body?—The subordinate body would be ordered, according to its total number of rated householders and rateable value, to send up so many councillors, and so many aldermen, and it would be for the area to send them up.

12,922. But do let us come to a distinct and clear understanding. I thought that we had already agreed that the councils should be directly elected?—Yes.

12,923. Now, we have come to the question how the aldermen should be appointed; how shall the aldermen for St. George's, Hanover Square, if that has got three aldermen, be chosen?—I should prefer to see them chosen by the popular vote.

12,924. By popular vote?—By the voters on the register.

12,925. How would they differ from the councillors elected?—That is the objection to such a plan; I should prefer that, but I do not press that.

12,926. Would there be any difference?—They would be elected for a different period; they would be elected for six years.

12,927. For a longer time?—To preserve continuity, which is a great point, in my opinion.

12,928. Then your idea, if you could get it done, would be a county council composed of councillors elected for three years by popular vote?—Yes, that is what I should prefer.

12,929. That is your idea; what would be the advantage of having aldermen so elected?—Well, that you would be able very likely to get a class of candidates as aldermen who would not have to look forward to two elections, constant elections; one election less than than they have now, one instead of two. That to some men would be a very great point, because many men will serve as aldermen now who would not go in for an election, simply to avoid the trouble of an election. The only advantage of six years' election in the first instance by popular vote, as I say, would be to save one election.

12,930. And you think that would attract a different class of persons as candidates?—I think you would get a little pull, if I may use the phrase, in the men who would stand; but, undoubtedly, you have by the present system a better choice of distinguished men to serve, who do not go through any election. I have given you my preference, but there is that disadvantage.

12,931. You prefer the direct election?—I should like a direct election in all cases where I can get it.

12,932. You do not think there is any advantage secured by the choice of these distinguished men by the County Council?—Yes, I think there is. I think our first set of aldermen in the Council represented that view.

12,933. But you have no very clear view as to which you would prefer on the whole?—No, I have not. I like the idea of a vote, but I say we should probably get better men by the present system.

12,934. The present system; you do not want to amend the present system?—No, I do not propose it at all.

12,935. The objection made to the present system is that the aldermen might be elected by belonging to one party?—Yes, and it has been so in practice, not entirely in practice, I may explain, because, in the first elections a great many of those who are called Moderates voted for the three or four first aldermen who were at the top of the poll—we almost all of us voted for them, namely, Lord Hobhouse, Lord Lingen, Mr. Quentin Hogg, and a great many of them voted for Lord Farrer.

12,936. And you do not want to amend the method of election of aldermen?—No, I do not at all propose that; I am not at all keen about it.

12,937. When they were first elected, they were elected belonging to different parties?—Well, hardly that.

12,938. Were they not from two parties?—No, I think there was only one man who called himself as belonging to the Moderate party; that was Lord Meath.

12,939. But the first?—For the first a great many of those who are called Moderates voted for distinguished men, whose opinions, politically and so on, they knew to be contrary to their own.

12,940. Was Lord Lingen recognised as a Moderate man?—He was known as a Liberal and not known as a Conservative.

12,941. Well you have not considered, perhaps, any other method of electing them?—No, I have not.

12,942. Let us, for example, suppose you might have two lists of aldermen put forward, and the number elected should be proportionate to the number of votes of councillors given for each list. I will explain that. How many councillors are you in the County Council?—We are 118 councillors and 19 aldermen.

12,943. Let us suppose that there were 120 councillors and there were two lists, a Moderate list and a Progressive list put forward, and the Progressive list got 80 votes and the Moderate list got 40, then you would say that the Progressives should have twice as many as the Moderates?—Yes, that would be a great improvement on the present system.

12,944. Would you recommend its adoption?—As against the present system, yes.

12,945. But your mind is not directed to that?—No, but I have no hesitation in giving an answer to that, whichever party might be in power.

12,946. Of course it cuts one way one time, and another way another, but it secures, if there are two parties, that the two parties should have proportionate representation?—Yes, quite so, a very important point.

12,947. Now, then, go to the local body which you have to bring in existence, or keep in existence; are you satisfied with the way they are constituted at present, or do you want any change in them?—I want the institution of stronger bodies to represent areas, larger areas probably in many cases than at present, in the shape of these municipalities that I have mentioned.

12,948. I would like to keep your attention to your own, St. George's, Hanover Square?—Yes.

12,949. You would not, would you, call a municipality for St. George's, Hanover Square?—No, I do not say that necessarily.

12,950. Is that area too small?—Our population is 80,000, and our rateable value, 2,000,000*l.*, and, I think, that population might interfere against our being made a separate municipality. I should like to see populations something approaching those of the leading provincial municipalities.

12,951. Is there any one of the existing parishes would satisfy you, Paddington or Kensington, Marylebone?—Well, Islington, Camberwell, St. Pancras.

12,952. One will do; I only want to clear up our notions?—From two to three hundred thousands.

12,953. Take Islington; Islington is big enough to have a municipality according to your notion?—Yes.

12,954. What do you mean by a municipality for Islington?—I should mean a municipality with mayor, aldermen, and councillors, that is the only type of municipality I look forward to.

12,955. You have not heard the evidence given by your colleagues, Mr. Boulnois and Mr. Cohen?—I did not catch Mr. Cohen's evidence or his memorandum very clearly.

12,956. Mr. Boulnois, at all events, said he did not care about aldermen at all?—That is his opinion.

12,957. You wish to retain aldermen?—Yes, I prefer them.

12,958. How would you wish to get those aldermen elected for Islington; keep your mind upon Islington?—Oh, I have before stated I should like to see them elected on the regular register of voters of Islington, but if such is not approved, then by the Council of Islington as elected; that is an elected council elect a mayor; then they elect aldermen.

12,959. You would like to see the electors of Islington elect councillors for three years, and aldermen for six years?—Yes.

12,960. That is your idea?—Yes.

12,961. You do not agree with the suggestion that the councillors should be elected each year?—No, certainly not.

12,962. And the aldermen for life?—Certainly not.

12,963. (*Lord Farrer.*) Or one-third going out every year?—No, I do not press that. I think it is good in the way of continuity, but I do not press it.

12,964. (*Chairman.*) Are you acquainted with the experience of provincial municipal institutions?—No, I am not; not able to give any very definite opinion upon any of the points; I lived in Liverpool for six or seven years as Mr. Holt knows.

12,965. (*Lord Farrer.*) But the vestry of St. George's go out one-third every year?—The vestry go out one-third every year, yes.

12,966. Do you find that answers well?—Yes, very well.

12,967. (*Chairman.*) But you would not like to have them change more frequently?—No, I am quite content.

12,968. Yes, but your municipality has to be elected every third year?—It is not so much my own view, I think the general view goes that way, I do not oppose it.

12,969. Which individual view do you think is the better?—Of the two, personally, I prefer one-third going out——multiplication of elections.

12,970. I do not think, if I may suggest it, that there is any preponderance of opinion so strong now that you are obliged to give up your opinion to-day?—I do give up my opinion sometimes to the better judgment of other people—very often.

12,971. (*Mr. Smith.*) You are thinking the provincial municipalities all retire in that way a third?—A third, yes.

12,972. With a view to preserve the continuity?—Yes. I am not aware that they want a change; I rather prefer the plan myself.

12,973. (*Chairman.*) But you think in London these local municipalities, if instituted, ought to be elected every third year all together. What would be the advantage of your altering the form of the local governing body, except the change of name?—I should not change the name unless there were some other change to accompany it, but I think that would be certain and inevitable, no doubt, in many districts if my idea were carried out.

12,974. I would rather keep your idea—keep your mind on Islington?—Islington.

12,975. What would be the advantage of calling the governing body of Islington the mayor, aldermen, and corporation, instead of district council or vestry?—I think there is something in the popular acceptation of the term; it gives sentimental strength to it, or something of that kind. It is that I think; not much more than that.

12,976. Well, then we come to the real question; you admit there must be a central body; you admit

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also local bodies. Now, as to the distribution of powers between the two,—and I would like still to keep to Islington and the County Council,—is there anything that the County Council now does in Islington which the Islington body ought to do or might more conveniently do?—Yes; I think several things and measures which the central body might transfer to Islington.

12,977. Yes. Well, I think the supervision of compliance with the Weights and Measures Act is a matter which might go.

12,978. Upon what ground do you recommend that transfer?—Because I think it would be better managed locally; equally strictly, and it would relieve the central body of a good deal of work. I think it might be wise to keep in the hands of the central body a sort of central authority for standards, standard weights, and things of that sort. The carrying out of the Act I would leave to local authorities. They carry out an analogous Act, the Food and Drugs Act, the Adulteration Act; that is carried out to my knowledge very well in several districts, without any knowledge of whom the cases are going to be against.

12,979. And you think if the districts were of adequate size, such as Islington, it might be more conveniently done by the district authority than by the sanitary authority?—I think so. The same I should say with regard to the weights in the weighing of coal.

12,980. (*Lord Farrer.*) Coal?—Yes, I think so.

12,981. (*Chairman.*) The County Council has shown itself very vigilant about the weighing of coal?—Very. I do not see why municipalities of varying sizes should not be so, or should not be inclined to be so.

12,982. Have they in the past been vigilant?—My experience of carrying out similar measures to these has been very satisfactory in my own district, certainly.

12,983. (*Lord Farrer.*) But they have the power in regard to coal?—No, I do not think so.

12,984. (*Chairman.*) Have the County Council got any special power in the matter; is it not enforcing the law simply; they see that the law is enforced?—Yes, I imagine it is more that.

12,985. Should not the vestry have seen that the law was enforced in the same way, if they had interested themselves in the matter?—Sometimes example is the best thing to guide one.

12,986. Then it comes to this that the central authority——?—The Council has set a good example.

12,987. That is rather an argument against the transfer. If it has been open all these years to the vestry to exercise the same vigilance, and they have not done it?—I am not sufficiently acquainted with the law.

12,988. I do not think it is any change in the law; I think it is an application of existing powers?—Well, then slaughter-houses is another thing that occurs to me that might be transferred.

12,989. Slaughter-houses now probably might be managed with little difficulty, but in the past the local interest in the maintenance of slaughter-houses might possibly have been too strong for the local power to cope with; is not that a danger that might recur?—No, I should not fear that. In part of Whitechapel and Commercial Road there is little else than butchers certainly and slaughter-houses, but I should not be afraid of them.

12,990. But still it is a dangerous thing for any local administration; local influences may prove too strong?—Yes; I should not be afraid of it.

12,991. You have to measure things more or less to determine whether they should be locally, or whether they should be centrally administered; slaughter-houses you think might be locally?—Yes. Then there is the question of the closing of the roads; that is a very simple matter, that should be done locally, which we claim the power of directing and supervising now.

12,992. I suppose there is something to be said on the other side respectively?—I have no doubt.

12,993. If two parishes, St. George's, Hanover Square, and Chelsea, were to close two roads at about the same time which are concerned in the same thoroughfare it might be extremely inconvenient, whereas the central authority would take care not to close the roads so as to unduly interfere with local traffic?—I think Chelsea and St. George's would confer together; certainly if it did happen, and what would happen would be that it would be closed for a day. If the inconvenience were proved, one would say, "We will leave ours open till yours is finished."

12,994. If the mischief arose it would be cured?—I think so.

12,995. It is even better to prevent mischief arising?—True.

12,996. And sometimes when there are two authorities the question is which shall give way?—Yes.

12,997. (*Lord Farrer.*) I suppose they do, as a matter of fact, communicate now if there is a road which passes from one district to the other before they close it up?—I have no doubt they do. I have not the least doubt they do. Then infant life protection is another thing which I think might be safely handed over to the local authorities to look after; it is not a very large volume of business I admit, but still it is one of the details.

12,998. (*Chairman.*) All these are practical matters very well worth attention, but they do not radically change the constitution or the relation between the central body or the local bodies?—No, those are matters that I should suggest would go from the central body to the local, then the local, of course, in whatever form, as municipalities or district councils, whatever they are called, would have the powers of certain now existing authorities transferred to them to get at anything like good government in London.

12,999. You mean Commissioners of Sewers and Commissioners of Libraries?—Libraries, burial boards, baths and washhouses, certainly would all go to them.

13,000. What would be the position of the City of London in the future according to your idea?—The City of London would be a separate municipality, the Corporation of the City of London would be a separate municipality, the members of which would be elected on the same franchise as prevailed elsewhere.

13,001. The City of London would stand on all fours with the town of Islington?—Certainly.

13,002. And there would be a Mayor of London like a Mayor of Islington, but not a Lord Mayor of London, is that your idea?—Well, the appointment of the Lord Mayor, of course, is rather a difficult one; I should suggest that the Lord Mayor of London should be elected by the central body of London, and that he should preside over the municipality of the City of London and thence discharge the office of the Lord Mayor of London.

13,003. The Lord Mayor of London would be elected by the County Council?—I think so.

13,004. But he should be located in the old City?—Yes.

13,005. And should only serve as the mayor of that district?—Well, yes, I think so.

13,006. Would not that be rather troublesome work to do had not you better have a separate man for that district?—I think he falls into his right place of Lord Mayor of London as being also head of the separate municipality of the City of London; I should like to see him so placed.

13,007. The County Council would in that case be a little hampered in choosing their Lord Mayor, they would have to choose somebody whom it would be suitable to put at the head of that little area?—Yes, they would, of course, but there are many people, I think, suited to discharge the duties of Lord Mayor of London properly who may not, at the present moment, belong to the closer body of the City itself.

13,008. Why not cut the Lord Mayor of London altogether away from the separate area, leaving the City, as you say, on all fours with Islington; why should the County Council elect a Lord Mayor to go the Mansion House and attend to the local duties any more than elect a Lord Mayor to go to the "Angel" and attend to the affairs of Islington?—Because I think, if you still kept him to the old area of the City, he would be properly elected by the central body of London, and that would accord more with my ideas of a true amalgamation with the City of London.

13,009. (*Mr. Smith.*) Would it not be a very strong thing for the City of London as it now exists to have a Lord Mayor put over them by another body?—But he has to perform the present duties of the Lord Mayor of London.

13,010. Still, he would be imposed upon them by another body; he would not be their choice?—Yes; if the City is coming into line with the rest of London that is the best way.

13,011. (*Chairman.*) But it would not be coming into line with the rest of London by that plan; coming into line is, as you have said just now, putting the City of London on all fours with the town of Islington; with a mayor of its own, elected by itself: then you have got, over all, the Lord Mayor?—I did not say that, sir; I said the aldermen and councillors elected on the same franchise as elsewhere.

13,012–3. Then it would not be in line with the rest of London if its superior officer were elected on a different footing?—I think that would be a serious matter. I think it would be open to what Mr. Smith has stated. Then it would be for the area to do it. I do not think they would satisfy the rest of London.

13,014. You would have a Lord Mayor of all London elected by the City; is not the alternative to cut the knot, have a Mayor of the City of London (if you must have such a person) elected from within the City to serve those duties, under the Lord Mayor of the whole of London elected by the County Council?—That is what I do not see. I should not mind that at all. What I do not see is, would the Lord Mayor of London under such a scheme, take up the functions of the Mansion House and the Guildhall, or would the Mayor of the City Corporation do it—which of the two?

13,015. We might have to discriminate such functions as are strictly local and such functions as might be made co-extensive with London?—Of course, the scheme of the committee of the London County Council did not contemplate the Lord Mayor when elected (which they wished to do themselves) performing regular duties of the council; they looked to his performing the duties of the City.

13,016. No, no, no?—I think so by that scheme.

13,017. They did not look to his being the chief officer in the old City, and directing the affairs of the old City; that is not part of their scheme. It is quite true he was to have very little to do?—I put it rather in the negative way; they did not look to him to be practically carrying out the duties of the Chairman of the County Council, but thought he would be a titular head, with perhaps a deputy mayor to do what our chairman does now; so the Lord Mayor, when elected, would perform the social functions of the City and others.

13,018. But those functions would not be localised.

13,019. (*Mr. Smith.*) The functions in that enlarged city.

13,020. (*Chairman.*) Then the central council would be left in possession of its functions apart from those you have suggested should be transferred?—Yes.

13,021. I see, amongst them, you include bridges?—Yes.

13,022. You would take over from the present Corporation of the City the Bridge House Estates, and the management of the bridges now in the City?—No, I think not; I think they only extend to the three bridges they have got to do with, London Bridge. Southwark Bridge, and Blackfriars Bridge, I believe. I should hope to see the property of the City remain in the hands and under the management of the City, its debt included.

13,023. But distinguish; the Bridge House Estates are not strictly the property of the City. They are trust estates, of which the City is the administering trustee?—Yes.

13,024. You would desire to leave those estates charged with those special trusts, and the bridges under the care of the smaller body within the old City, or would you bring them over to the County Council?—Supposing it only applies, as I think, to three bridges, those mentioned, I should be quite content to leave it as it is.

13,025. (*Mr. Smith.*) How about the Tower Bridge?—It is not open yet, but I consider that it should be dealt with like the others.

13,026. It is the most important bridge of all?—Yes. Financially, I may suggest that the difference of rate which exists between the City and the rest of London should be done away with; that is all the change that I contemplate, have one general rate for the whole of London.

13,027. (*Chairman.*) Have you any view as to the point raised by Mr. Cohen as to the representation of the City in the County Council?—I think it should be based upon the same principles of the number of rated householders and rateable value as other districts.

13,028. Would you look to an increase—at present it is four members?—At present it is four.

13,029. Do you think that inadequate?—No, I do not think that inadequate, but I should be content to take the working out of that number as it might result.

13,030. The number of householders would give a very small representation?—Well, rated householders, I do not know that it would be. Of course the City is at a great disadvantage in that respect as regards population, because the population flits at night. The rateable value on the other hand is four millions.

13,031. (*Lord Farrer.*) If you are taking population, would you take in the day population as well as the night?—Well, it is the only ascertained basis you have got, the census.

13,032. The day population is not given by the census?—The day population is not given. It is estimated at something over 300,000 people, I think.

13,033. Did you mention markets?—No, I did not.

13,034. Would you leave those with the old City, or transfer them to the central body?—I think those of the City—within their borders—I should leave to their own administration; but if there is a monopoly, I do not think it is claimed; there is no monopoly of market right now; but even if there is, I would do away with that, and allow the establishment of markets elsewhere, certainly.

13,035. And those markets which belong to the City, outside the bounds of the City, the Deptford market and the Islington market, how would you deal with them?—I would leave them to the City to administer, if they belonged to them. I should not wish to touch the property of the City in any way beyond what is necessitated by financial arrangements in consequence of change of system.

13,036. What would you do with the Port Sanitary Authority?—The Port Sanitary Authority I should not reserve to the City; no, I think I should give it to the general central body.

13,037. (*Chairman.*) You differ from Mr. Cohen in that?—I do.

13,038. (*Lord Farrer.*) And the open spaces out of London?—I am not speaking of St. Paul's Churchyard, but Epping Forest and Burnham Beeches?—It would be of advantage to draw a difference between smaller areas in special localities

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and the larger parts which remain in the hands of the central body, I think.

13,039. There has been a question about that on the Council, and very strong opinions on the part of a large number of persons have been expressed that the small spaces ought to belong to the local authorities?—I think they might be with advantage.

13,040. And the larger spaces to the central authority?—Yes and the larger spaces to the central authority.

The witness withdrew.

Mr. H. P. Harris.

Mr. Henry Percy Harris, a member of the London County Council, called in and examined.

13,041. (*Chairman.*) You have heard the evidence of the former witnesses?—I have.

13,042. Do you agree with all of them in the necessity of having a central body?—I do.

13,643. And local bodies?—Yes.

13,644. Have you anything to say as to the constitution of the central body?—I do not feel entirely satisfied with the present constitution of the central body. In the first place, I think it is a disadvantage that each parliamentary electoral division should elect two county councillors, because that does confuse more than is desirable parliamentary politics with municipal politics, and although the confusion it unavoidable to some extent, I think it would be an advantage if you created municipal districts in London. You might then assign to each municipal district so many county councillors, and they might be elected by different wards of the district. If I might take an example, supposing Paddington had six county councillors assigned to it, these six county councillors could be elected by different wards of the district. I admit it is difficult, perhaps, in working out, but that is my feeling in the matter.

13,045. Do you think it desirable to have the number of county councillors enlarged?—I think that would depend very much upon how far you were able to transfer powers from the central body to the subordinate bodies; but I think some enlargement is necessary.

13,046. At present the members are overworked?—I think the tendency is so. I have been comparing figures, and I see the number of committees during the past year is considerably in excess of the number of committees in the preceding year.

13,047. (*Lord Farrer.*) Committees or committee meetings?—Committee meetings, I should have said; and of course that is due to so much extra work having been taken up by the Council, such, for instance, as the Works Department, and the Technical Education Board. And my object is, if possible, to relieve the central body of certain powers in order that it may be able to grapple with those subjects that must inevitably come within its scope.

13,048. (*Chairman.*) But you think it would be of importance if the County Councillors were elected in single electoral districts?—Yes, I am inclined to that view.

13,049. And if the present number were kept, it would follow that each parliamentary division should be divided into two?—Yes, it would.

13,050. There would be no alteration of the register if you could manage that particular wards should constitute one division of the district and certain other wards another division?—That is so.

13,051. You think in that way there would be some avoidance of the connexion between parliamentary issues and local issues?—Yes, I think so.

13,052. (*Lord Farrer.*) You are aware we have had strong evidence that in provincial boroughs political feeling plays as strong part in the election as it does in London?—I thought it was not so strong.

13,053. So did I, but we have had very strong evidence to that effect?—I did not know that.

13,054. (*Chairman.*) Apart from that question of electing members of the County Council by single particular districts, have you any other suggestion to make as to the constitution of the County Council?—Well, I should like to say a word about the aldermen. While I think that aldermen who have been co-opted have been valuable members, and perhaps members that we should not have got otherwise, yet, at the same time, I feel that the present mode of selecting them really intensifies what I may call the injustice of the elections. I find—I think the figures have already been given by Mr. Cohen—I find that if the representation had really been proportional at the last election—I am speaking of the elections at the polls—there would have been 64 Progressive members returned instead of 84, and 54 Moderates instead of 34; in fact, the majority at the poll would have been 10 instead of 50. That disproportion is intensified—and, of course, I speak as a member of the minority—that is intensified by the election of aldermen, who may be very valuable members in themselves, but at the same time are of one political colour to a large extent, for out of the present 19 aldermen only one classes himself as a Moderate. That is my feeling of objection to the present system of electing aldermen.

13,055. (*Mr. Smith.*) Unless you had proportional representation for aldermen that result would probably obtain whether the majority were 64 or 84 of elected councillors?—What do you mean, the result of the polls?

13,056. I mean it does not very much matter, if you are going to elect the aldermen on political grounds, whether the majority is 64 or 84 for practical purposes?—No, certainly not.

13,057. (*Chairman.*) Have you considered whether single member districts would aggravate the disproportion of the electors and the elected, or mitigate it?—No; I have not considered it from that point of view. I think it would mitigate it, probably.

13,058. You think you would get two members returned of different sides if you divided the constituency?—Yes; because I think the characteristics of constituencies differ; certain wards would be of one party complexion, and certain other wards of another.

13,059. (*Lord Farrer.*) At present you have the phenomenon of some districts electing political candidates very differently for Parliament and for the Council?—That is so. Of course, the electorate differs.

13,060. Do you attribute that difference to the difference in the electorate?—Well, I am afraid I cannot entirely.

13,061. (*Chairman.*) Would you have anything to say to the proposal which was made just now as to the mode of electing aldermen, so as to secure, whatever the minority was among the councillors, that they got a proportionate part of the aldermen?—Yes, that would mitigate very much my feeling of opposition to the present election of aldermen. I am reluctant rather to give up the aldermen, because I think very often one may secure a good man who would be reluctant to contest an election. At the same time I feel that objection that I have already mentioned.

13,062. You feel that aldermen may be a valuable and desirable element in your constitution, but at the present time they give the party to which you are opposed overwhelming preponderance?—I do not only put it on that ground. If I may say so, I put it on this ground, which will be borne out even by those who disagree with me in politics, that it is a disadvantage for the minority to be too small. I am inclined to think that it has been felt in the present Council.

13,063. There is a disadvantage even when a majority is too small—the natural disintegrating forces are not allowed free play?—That is a suggestion I am obliged for.

13,064. Well, now, as to the constitution of the local bodies, how would you get those created?—Well, I should first divide the county into municipal districts, and, so far as possible, I should desire to preserve what have been called natural areas, although I feel that there is a difficulty, because some of the areas, I think, are too small.

13,065. (*Lord Farrer.*) By natural areas, you mean historical areas?—Historical areas, yes.

13,066. (*Mr. Smith.*) Parishes?—Well, not always parishes, I think. Then, I propose that there shall be established a municipal corporation in each district which shall act by a council consisting of aldermen and councillors.

13,067. (*Lord Farrer.*) Mayor?—Yes, mayor, of course. The mayor would be elected by the Council.

13,068. Mayor, aldermen, and councillors?—Yes, and I make the following suggestions. The present qualification of municipal electors shall be the present parliamentary and county council franchises; that is, the present franchise for the vestries. All municipal electors shall be qualified to be aldermen and councillors of the district, each municipal district shall be divided into wards, and the total number of councillors assigned to each district shall be apportioned among the wards according to the population and rateable value jointly: that is upon the same principle which obtains now under the Metropolis Management Act and under the Municipal Corporations Act. The electors of each ward shall elect one alderman and the councillors of the ward; the aldermen for six years and the councillors for three years. The mayor shall be a fit person elected by the council from among the aldermen or councillors or persons qualified to be such. There shall be transferred to the new corporation the powers and duties of (1) the vestries and district boards; (2) the following local authorities—(*a*) commissioners for baths and wash-houses, (*b*) burial boards, (*c*) commissioners of public libraries, &c., (*d*) churchwardens, except so far as they relate to the affairs of the Church or to ecclesiastical charities, (*e*) overseers as regards assessing property, rate-making, and collecting, registration of voters, and preparation of jury lists; (3) the County Council as regards a large number of essentially local matters.

13,069. (*Lord Farrer.*) Have you got a list of them?—I have put down a certain number of matters which I think might be transferred from the County Council, but I should like to say that I have not had the experience of working these matters which would enable me to express a very decided opinion; I should rather like in a certain respect to reserve my own opinion with regard to some of them.

13,070. (*Chairman.*) It is a provisional list?—It is a provisional list. Powers of licensing and registration of slaughterhouses, cow-houses, and offensive businesses, petroleum, infant life protection. Administration of some part of the Building Act; for example, the control of dangerous and neglected structures, the licensing of temporary buildings, the prevention of obstruction in streets. Certain powers of inspection over dairies, gas, electric lighting, weights and measures, sale of coal, shop hours, factories. Management of open spaces of limited area, maintenance of main roads within their districts, power to close streets temporarily, maintenance of subways, consent to laying electric lighting mains along streets, powers under the Small Holdings Act, powers of local authorities under the Technical Instruction Act of 1889. I make these just as suggestions of some of the powers which might be transferred.

13,071. And of these you would relieve the central body?—That is my object.

13,072. What would be the advantage of the aldermen such as you have described?—The aldermen who are to be elected for six years?

13,073. Yes?—Well, I have proposed that there should be one alderman for each ward. That I thought would give a special position to the alderman; also he would be elected for six years—therefore he would only have one election instead of two. But I confess that while I had the desire to preserve the aldermen as far as possible, I did not desire to press that point. But I should like to say that I attach great importance to there being a Mayor and to there being councillors: and as the question has been asked, I think, what difference it makes whether a man is called a mayor or whether he is called a chairman, I should like to quote, if that is in order, an expression of opinion in which I agree, from a Cobden Club Essay by Mr. Thackeray Bunce; and this is what he says: "The "Chairman of a local board, it is argued, would be "invested with no new authority if he were con- "verted into the mayor of a borough; the members "of the board would gain nothing in power or "efficiency by being called aldermen or councillors. "The answer is that, as a matter of fact, authority "would be enhanced, and that power and efficiency "would be increased, because the corporate body "would realise for its constituents and would express "by its action the idea of a self-governed com- "munity; and it is to the development of the idea of "community with its personality, its duties and "obligations, its legal powers, its defined locality, in "a word, its united and visible life, capable of being "manifested to the country as well as within its "own limits, that we must look for the natural reform, "and the healthy growth of town government in "England." I wish to apply that, and say that my desire is to strengthen the local bodies in London, and to give them a tone and spirit which I think has not always characterised the vestries.

13,074. (*Lord Farrer.*) I gather that you would not apply that to the districts or vestries exactly as they are at present, but that you would require them to be of a certain size and importance?—I think it almost follows that they must be.

13,075. There would be great difficulty in doing that, would there not, by any general or simultaneous act—great resistance would there not be?—I am afraid there would be resistance to disturbing existing areas.

13,076. (*Chairman.*) But a good many of the existing areas would be large enough for the application of your proposal?—I think they would, because I do not propose municipal corporations with complete powers, such as are possessed by Birmingham, for example. I think, for instance, the borough of Paddington, which has about 117,000 inhabitants, would be large enough for a corporation of this kind.

13,077. (*Lord Farrer.*) Might it not be an inducement to some of the smaller and more confused areas to agree to an alteration of their boundaries if they thought that by so doing they might get an enhancement of dignity?—I believe it would be so.

13,078. At the present I understand that the establishment of parish councils is raising the question of alteration of boundaries in a way it has never been raised before?—It is.

13,079. Something of the same kind might happen in London, might it not, if you offered to sufficiently important areas such a prize as the title of Mayor and Council?—That is my feeling.

13,080. I gathered that was your feeling?—Yes.

13,081. (*Mr. Smith.*) You would expect to find adhesion to your views from the district that would probably give name to the future municipality, but not much adhesion on the part of these vestries or district boards that were going to be absorbed?—Unless they were influenced by motives that Lord Farrer suggested.

13,082. (*Chairman.*) An exalted ambition of seeing somebody else's name aggrandised?—Some of them have not been altogether distinct districts for a long time.

13,083. Take the district Mr. Antrobus represents, an important district well known to us, of Saint George's, Hanover Square, what will become of that?—Well, I am afraid it might have to be amalgamated with some other district; I am not acquainted with the exact figures of the case.

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13,084. But it would disappear as Saint George's, Hanover Square?—It might be amalgamated, perhaps, with Westminster, and two names might, in some cases, be given to an amalgamated area.

13,085. (*Lord Farrer.*) It is a very dangerous thing for a County Councillor to express an opinion upon a subject of this sort, is it not?—It is.

13,086. (*Mr. Smith.*) I did not ask Mr. Antrobus for that very reason; I thought the question was hardly fair to put to him.

13,087. (*Chairman.*) The inhabitants of St. George's, Hanover Square, might consent to a union with St. James's, Piccadilly, even under the title of Piccadilly, if the Mayor of Piccadilly was possibly a person who was an inhabitant of St. George's?—I am afraid I cannot assent to a Mayor of Piccadilly.

13,088. (*Mr. Smith.*) One other question I was going to ask you. I did not quite gather what it was that you proposed to put at the head of these municipalities—a county council?—The central body, you mean?

13,089. Yes?—Yes, a county council.

13,090. Well, that would not be strictly analogous to anything which you have in England, would it, because these municipalities according to that view are to be large municipalities; that is to say, they would be equivalent to what in the country are county boroughs?—I do not think they would be exactly equivalent.

13,091. Would they not; they would in population, surely?—Oh, in population, yes.

13,092. They ought to be. Would they not claim the status of a county borough to be completely independent?—No, I do not think they could.

13,093. Excuse me putting it in this way, as what I rather object to is a large municipality being controlled by a county council?—Yes.

13,094. (*Lord Farrer.*) Is it not of your scheme that the central body should be called County Council, and not Lord Mayor or alderman and burgesses of the City of London?—Well, it is part of my scheme; I do not know that it is the part I attach most importance to, I am more concerned with building up the local bodies than the central body. But if I might answer a former question, it seems to me that nobody proposes to treat London government on principles for which there is an exact precedent; for instance, I think there is no municipal corporation that has subordinate to it bodies which are independent within their own sphere.

13,095. (*Mr. Smith.*) That is so?—And therefore I feel that we are, so to speak, quite on new principles, though we want the guidance of the old, as far as they apply.

13,096. London, as a whole, is too big to have her mayor, aldermen, and corporation, having throughout it the functions of a mayor, aldermen, and a corporation of an ordinary provincial town?—That is so.

13,097. On the other hand the districts within it which must be created, might be created of sufficient size to have, if not all the functions of a corporation of a provincial town, some of them?—That is the view I wished to put forward.

13,098. (*Chairman.*) I think the point that you were upon was aldermen, at that moment, whether there was any special advantage in keeping the aldermen; you have given us considerable reasons for the title of mayor being given to the chief officer, but the aldermen themselves, do you think they are a very valuable element in your scheme?—No, I do not think they are, and as they stand I should be quite content to give up the aldermen if I could get the mayor and councillors.

13,099. The working scheme should be as simple as possible, with as few novelties as possible?—Yes.

13,100. Well now how would the ancient area of the City of London be squared into this scheme?—Well the City district, according to my scheme would be governed by a municipal corporation, like other districts; but my suggestion is that as there is a corporation existing in the City area it should be preserved for the City area, but at the same time I should certainly take the view, representing an outside district, that the City Corporation should not retain any powers which would in any way conflict with the interests of the communities outside. That would be the general principle I should wish to lay down. But I feel that by taking away from the City the corporation which has governed that particular area for so long, we do not really gain very much for central purposes, at the same time we are depriving a particular area of the corporation associated with it. And it seems to me that the City could be made to fall into line with the general system of London Government if this corporation were left to be its governing body, reformed probably, but still the governing body, and if such powers as were necessarily central powers were transferred to the central authority.

13,101. Would the principal officer be still called the Lord Mayor, or would he be a mayor simply?—Well, that would depend very much on whether the central body were constituted a corporation, or whether it were kept as a county council. My own view is that the central body might be kept as a county council, in which case I think the City would keep its mayor, and probably for old association's sake he might be called the Lord Mayor, but in that case I think you would require, probably, some titular head of the county council; and I throw out as a suggestion that possibly the Lord Lieutenant of the County might be the titular head of the County Council. I point out that the County Council's scheme proposes that the Lord Lieutenant should be merged in the Lord Mayor, and that the Lord Mayor should be merely a titular head, and not the working head, as far as ordinary business is concerned, of the County Council; and I suggest that the Lord Lieutenant would serve equally well and really would be a bigger man, than the Lord Mayor of the City.

13,102. (*Mr. Smith.*) But has he the advantage of having no functions at present?—Yes, except one very important function of recommending justices of the peace.

13,103. (*Lord Farrer.*) Lieutenant rather suggests, does it not, that it is an officer holding place and power under somebody else, and not by direct election by the citizens. Lieutenant rather suggests an officer under the Crown, does it not?—Yes, I suppose it does. The present Lord Mayor is to a certain extent appointed by sanction of the Queen.

13,104. Admitted?—Admitted.

13,105. (*Mr. Smith.*) He is freely chosen by the citizens?—I suggest that the Lord Lieutenant should be freely chosen.

13,106. (*Chairman.*) And you would keep the mayor, alderman, and council in the City of London, would you keep the aldermen as they are kept now, and would you bring them into line with the arrangement outside?—That seems to me a question which does not very much concern me, supposing it does not conflict with the interests of outer areas. I think local feeling in the City might very well be consulted upon that point to a certain extent.

13,107. Would you transfer from the head officer of the restricted area to the head officer of the whole county, any of his power and endowments?—I think if there was a certain transfer of powers such as I contemplate there would have to be some re-adjustment of the financial and other relations between the City Corporation and the London County Council.

13,108. Can you give in the slightest outline the character of the adjustment?—No, I am afraid I cannot, because in the first place I do not exactly know what the financial position of the City Corporation is. I should rather contemplate the unification that was contemplated by the Local Government Act, under which, by agreement between the County Council and the Corporation certain powers might be transferred from the Corporation to the County

Council; the Act also contemplated certain financial adjustments in consequence.

13,109. (*Lord Farrer.*) Did that specify the powers, that clause?—I think there were three clauses. I think it specified several of them; certainly, yes.

13,110. (*Chairman.*) Are you aware of the way in which under the Municipal Corporations Act of 1835 the mayor and corporation of a restricted area had their functions and authority extended, and the benefit of their endowments conferred upon a larger area in many of their towns?—Yes, I am aware of that.

13,111. Looking back upon that, do you regard it as a satisfactory and politic proceeding?—I think it has been satisfactory as regards the towns to which it has been applied so far as my information extends.

13,112. Do you see any objections in principle, or what are the objections to applying the same process to the City of London—to Greater London?—My objections are not so much in principle, as practical. I feel that London has to be treated exceptionally; that is almost admitted on all hands.

13,113. What do you mean by London has to be treated exceptionally?—I mean to indicate some fear of what was suggested by the Local Government Bill of 1884, namely, to establish one municipal corporation in which all powers should be vested.

13,114. I thought when you said London has to be treated exceptionally, perhaps you might mean the ancient City of London?—No, I was speaking of the whole metropolis. What I meant was that it would not meet the necessities of the case simply to extend the Corporation, as was done in Liverpool, over the whole area of the county; you would still have to build up your local government.

13,115. The nearest approach to that process would be to separate such part of the functions, endowment, powers, and glory of the Corporation, as are not specially local, from those that are specially local, and preserve the local functions and local endowments for the head of the restricted area, and extend the others to the head of the larger area?—Yes, that would be so.

13,116. (*Lord Farrer.*) Now, for instance, take the ornamental functions of the present City of London, would you give them to the local mayor and council, or would you give them to the Lord Lieutenant?—Well, I am not able to answer; will you particularise a little more?

13,117. The hospitality of the Mansion House of the Lord Mayor of London, that part of the functions?—Well, I doubt whether all the hospitalities which are at present exercised by the City Corporation really would be exercised by the central authority or corporation.

13,118. But would you contemplate your new Lord Lieutenant exercising any hospitalities at all?—Yes, I should.

13,119. Or having anything to entertain with as Lord Rosebery said at the County Council?—It is possible he would have nothing to entertain with; but I certainly say that he should.

13,120. That he should entertain?—That he should be the representative of the whole county.

13,121. Of the whole of London?—Yes, of the whole county.

12,122. Then would you have two sets of hospitality going on, one by the Lord Lieutenant of the large new city, and one by the Lord Mayor of London?—To a certain extent I would; because I think there would be certain functions of that kind which would be discharged, and which one would wish to be discharged, by the City Corporation; I am referring to the Corporation of the restricted area.

13,123. (*Chairman.*) It may be anticipated, if your scheme were carried out, there would be a certain exercise of hospitality by the local mayor, by the Mayor of Islington?—Quite so.

13,124. So that there might remain certain hospitality to the Mayor of the the City of London?—Quite so.

13,125. But the Lord Mayor of the County of London would have a higher sphere; you do not see any objection in principle to the person in the higher sphere receiving a large proportion of the endowment at present applied to the potentate in the restricted area?—No, I think it would follow; it is part of my scheme, really.

13,126. It follows in principle what was done in 1835, so far?—So far, yes.

13,127. The principle being that the funds, endowments, and glorified functions which were devoted to the nucleus of a big town were extended to the large town, the circumstances may require here that you leave that nucleus a separate organisation for local bodies, and yet that precedent would justify the transfer of all I have suggested to the greater area?—I think it would justify the transfer of some.

13,128. (*Lord Farrer.*) Then to go to another point, bridges, which we have here spoken of?—Yes.

13,129. What would you do with them, the estates and the powers connected with bridges which the present City of London now has; would you transfer them to the new body or not?—I think that is a matter which might be exercised by the corporation of the restricted area.

13,130. Take Epping Forest and Burnham Beeches?—I think those might be left, because, if I may give my reason, I do not see that they would conflict with the interests of the rest of London.

13,131. (*Chairman.*) But you are aware that with respect to the bridges the organisation of the bridges throughout the whole of the Thames within London is a matter that might be worked together, and that the administration of the bridge business is a strictly trust administration—an administration of trust estates—That, I think, is solely a question of convenience.

13,132. (*Mr. Smith.*) To use your own term, it is a strictly county function, is it not?—I did not take it in that way.

13,133. (*Lord Farrer.*) Markets again; what do you say to them?—That, as regards the monopoly to which reference has been made, I do not consider that there is a practical monopoly.

13,134. Do not let us trouble our heads about monopoly?—No.

13,135. Take the markets as they are; would you keep them as at present, or would you transfer them to the central body?—I think that markets within the City area might be left to the Corporation of the City, and as regards the other markets I think they, perhaps, would have to go to the central body.

13,136. (*Mr. Smith.*) Then you do propose that there would be a difference in function between the future governing body of the City, and the future governing body of Islington, we will say?—No, I do not think I do, so far as central functions are concerned; there may be certain matters.

13,137. You preserve to them a number of things which they have at present, which they have obtained by virtue of their higher charter, as it were, as the governing body of the whole of London, and you would preserve those to them in their future state?—Would you specify them?

13,138. The very things you were mentioning, bridges and markets; I understood the City government was to be limited in functions in the same way as the other municipalities you contemplated throughout London?—Certainly, in the main.

13,139. In the main?—Yes.

13,140. And you added that you would wish to see the Corporation reformed?—I said I thought that was a matter that might be decided by the wishes of the people in the area, but I was not personally concerned.

13,141. Then they would never be reformed, because the whole treatment of London has been the successful effort by the City to resist reform; that is its history.

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13,142. (*Chairman.*) I think the witness, as I understood him, meant that if the functions of the governing body of the restricted area were to be put on all fours with the functions of the area outside, then the organisation of the governing body might be reformed or not according to the wishes of the inhabitants?—That was my view.

13,143. (*Lord Farrer.*) The Port Sanitary Authority of the Thames; what do you say to that?—I think that must be in the hands of the central authority as far as I am able to form an opinion.

13,144. (*Mr. Smith.*) When you say according to the wishes of the inhabitants, I do not suppose it was according to the wishes of the inhabitants of Bristol and Liverpool, that they should be reformed; it was rather the desire of Parliament?—No, it was a question of extending the Corporation over the whole area.

13,145. Not in all cases?—Not in all cases, no.

13,146. It was applied to all, whether they were extended or not?—Yes.

13,147. (*Lord Farrer.*) As regards any power of revision, or of appeal, or of making byelaws, or appeal to make powers, and so on, which the central authority exercise in the rest of London, whatever they might be, I suppose you think that they should exercise within the area of the City of London also?—Certainly.

The witness withdrew.

Mr. T. B. Westacott.

Mr. Thomas Bentley Westacott, a member of the London County Council, called in and examined.

13,148. (*Chairman.*) You have heard the whole of the examination to-day?—Yes, sir; I do not agree with a good deal that has been said; although there is much that I do agree with.

13,149. Let us see in some sort of method, pursuing the same method as before, do you agree in the necessity of having a central body and local independent bodies?—Certainly, sir; the central body to attend to all matters of a Metropolitan character, the local bodies to attend to all matters of a strictly local character.

13,150. Well now, how should the central body be constituted. Do you wish to make any change in that?—By direct election as at the present time, and I think the term of three years is a fair term for election.

13,151. You would have all the members elected every third year?—Yes.

13,152. Not partial election?—No.

13,153. And you wish to keep aldermen?—I disagree entirely with aldermen. I think Lord Farrer is aware that when the scheme that was submitted to this Commission by the Committee of the County Council was submitted to the County Council, I then moved an amendment against the appointment of aldermen. I felt before the Local Government Act was introduced, that aldermen were a mistake, and that instead thereof we ought to have those who would manage affairs directly elected by the people.

13,154. Aldermen in any shape you object to?—I object to them entirely, and my feeling in 1888 has been intensified by what has happened at the Council. The very last alderman that was elected had just been defeated in the County Council contest at Clapham, and whilst the successful candidate was elected for a short time, the unsuccessful candidate was immediately elected an alderman for a longer period even than the successful candidate, I give this as an illustration, because it is the very last election that we have had.

13,155. That prevents my asking a question I was going to ask, whether the County Council showed itself capable of choosing better men than the local electors?—Well, I do not think the County Council themselves were able to form an opinion, because the person who was elected was a stranger, I believe, to pretty well all of us. In fact, at the first election, the bulk of those who were elected as aldermen were either defeated candidates for Parliamentary seats, or, as Lord Farrer has just said, defeated candidates at the County Council elections. I felt that, as the electors had said they had no confidence, we ought to have direct election.

13,156. The electors did not say that?—Well, they selected the other one in preference.

13,157. That may be. It does not show that they have no confidence in the other. Well, about the local bodies; have you anything to suggest as to their constitution?—Yes; I live in a parish where there is a population in round numbers of a quarter of a million. We have in that parish a vestry, a board of guardians, a burial board, commissioners of baths and washhouses, and directors of the poor, all of which are independent bodies, each of them with a clerk and officers, and I should like (it could easily be done) the whole of the work of these bodies done by one local authority, by one elected body, because as a fact nearly all the elected guardians are members of the vestry. Every member of the burial board, every commissioner of baths and washhouses, and every director of the poor is also a member of the vestry, and therefore, they could better do it as one body, than cut up as it is at present.

13,158. How many members are there in your vestry?—120; which is considerably too many.

13,159. You think they might be largely reduced?—The work is really done by 40 or 50 of that number, or even less.

13,160. How would you have the members elected? I should prefer the present system of one-third of the local body going out each year, because I think that then the expense, it being in wards, would be nothing like the expense that a County Council election entails. For instance, a County Council election costs the electors of London 10,000*l.* every three years. If it was made every year, it would be 10,000*l.* each year.

13,161. How does the fact that the election is in wards alter the expense?—Because there would be a number of electors who would be candidates and join together, and there would not be the continual public meetings, and so on, in the locality at all equal to what there is at a County Council election, and, therefore, the expense would be very trifling. You can get elected as a vestryman, as a rule, for less than a sovereign. The expense, if you do all that you need do, need not cost so much as that.

13,162. But is your experience of the elections of past vestrymen certain to be followed in future elections?—No, I think it will not; but there is a difficulty to get the locality to take that interest that they ought to do in these elections.

13,163. You think there would still be a difficulty?—I think there will be a difficulty, and we find it now even in the case of the School Board. There was a less number of people voted at the last election than at previous elections, and we do not find that great interest in the County Council elections anything like there should be seeing the magnitude of the work.

13,164. Are you aware that in provincial towns the interest is keenly shown in municipal elections, though they occur every year?—Yes, I was brought up in a country town, sir, and I have known the interest taken in municipal elections there.

13,165. What reason is there to suppose that some similar interest may not be developed in London when a similar method is adopted?—In the country everyone is known to his neighbours very well and knows his neighbours; you come in contact and in touch with them, but in London, on the other hand, you may live in a street for years and not even know your next door neighbour.

13,166. You are in favour of the election of your local body in St. Pancras in thirds every years?—In St. Pancras.

13,167. I forget whether I asked if you think the election of the County Council should be every three years?—Every three years.

13,168. The whole of it?—Yes.

13,169. And the reason for a different procedure in the two cases is that in the latter it would be too expensive?—It would be very expensive, and I think there is a more healthy feeling, and we should be more likely to get people to take an interest every year than there would be if it were three years for local purposes.

13,170. Then, having elected your members of the local bodies, you would, I presume, object to any aldermen there as you object to them in the central body?—Yes, I disagree with them entirely; there is no need for them.

13,171. Would you dignify them with the name of a municipal corporation?—I do not care what name you give it, sir, whether you call it town council, corporation, or district council. I do not care what it may be. Give them the work and make them as important as you can make them by imposing the duties on them.

13,172. (*Lord Farrer.*) Would you give up the name of vestry?—I disagree entirely with vestry.

13172*a*. You do not like vestry?—At the present time, if I may be allowed to say so, it stinks in the nostrils of London. It is associated with Church. The work done by these local bodies has nothing to do with Church excepting electing churchwardens every year, which I think is now taken from them.

13,173. (*Chairman.*) You would rather object to the head man being called mayor?—I should not object. I think it would induce some to take an interest to be called mayor, it would be a little more important than to be called the chairman; but I do not attach great importance which way it is: but probably there are some in my own parish who might rather prefer to be called the Mayor of St. Pancras than be called the Chairman of the District Council.

13,174. Now, what views have you got as to transfer?—May I say, Sir, if it is not interrupting, that many years since, in 1885, the Vestry of St. Pancras convened a conference upon this very question. It was held at the vestry hall, and it was attended by nearly every vestry and district board, including the City of London, and the results that they arrived at were, first, that there should be one central metropolitan authority; that there should be district authorities having jurisdiction in areas of such extent as might be hereafter determined; that the central authority should take over the metropolitan duties then performed by the Metropolitan Board of Works and the Corporation of the City of London, and should have power to consider and propose schemes for absorbing the functions of other bodies, exercising general powers over the whole metropolis, such as the Metropolitan Asylums Board; further, that such authority should have power to deal with the supply of water and lighting, either by purchasing existing rights or otherwise; that the district authorities should take over the duties of the local authorities existing under the Metropolis Management Act, and all other local functions, so that there should be only one local authority for local purposes in each district; that the central authority and the district authorities should be directly elected by the ratepayers. That was the conclusion after two meetings of that conference, and was very nearly unanimously arrived at.

13,175. (*Mr. Smith.*) Did the City representative vote for that?—No; he voted against it, but I think he was the exception, and the only exception.

13,176. What are the duties now vested in the County Council?—May I say one thing as to the rights of the local areas? I have thought a good deal upon that, and I think a very simple way shows itself to arrive at a conclusion on that point, because whilst there are numbers of vestries, many of them are grouped together for poor law purposes, and if you were to take the areas for the present poor law purposes which are, I think, about 30 in number, you would there have areas for district councils or corporations. I do not care what name you give them, you quoted St. George's, Hanover Square. I referred at the moment, and I find with regard to that, that for poor law purposes St. George's, Hanover Square, takes in St. Margaret and St. John, Westminster, and St. Peter, Westminster. They have to do at present with all poor law matters, and my opinion is that that, as well as the vestry work, should be in the same authority. I consider that the areas of the present Boards of Guardians would be good areas for the future local authorities, and there you have them in existence at the present time.

13,177. What functions are now vested in the County Council which you would transfer to the local body?—I would transfer to them, Sir, the licensing of slaughter-houses and cow-houses, the provision of coroners' courts, because the hardship is that many districts, notably my own, have provided a good coroner's court, and it is wrong, therefore, that other districts should not be compelled to provide coroners' courts at the expense of the locality in the same way as those parishes have already done, and they should be made to do it. Weights and measures, I feel strongly, should be handed to the local authority. We did them in our parish prior to the Weights and Measures Act passing. We had our own inspector and we found we had quite enough work to do with a population of a quarter of a million, but now all the people in St. Pancras have to take their weights and measures down to Holborn to be tested. I feel that one inspector in a district is far better than to have it done by grouping a number of districts together and taking people away from the locality. Therefore I would hand that over.

13,178. (*Lord Farrer.*) You have business enough in St. Pancras?—Quite enough, my Lord; enough to need protection. Infant Life Protection. Well, now, the county appoint three inspectors for that. In the locality they have inspectors who can do the work just as well and as effectively as inspectors from the County Council roaming all over London.

13,179. (*Chairman.*) What about the expense there?—It could be done, sir. There is but a very small number of cases in each district, and each district has sanitary inspectors, and part of their duties could very well be this addition, and it could be done equally as well, and, in my opinion, better. We had only one inspector until this year, but the Council have now appointed two additional ones. Shop-hours. I think the carrying out of that Act could be as well done by the local authority. Closing of thoroughfares. We have had an instance this year. Each locality has kept its own roads in repair. The County Council contributes not 1*d*. towards it, except in the case of a few miles of turnpike roads, which were handed over to us as main roads. At the present time the locality has to apply to the County Council for leave to close a street when they want to do repairs, put in a sewer, or anything of that kind. Well, that could be very well left to them; and this year, to show the desire of the Council, they have been trying to get Parliament to give the Council power to impose penalties upon the vestries and district boards if they close a street without their sanction. The vestries rose up in arms, and the result is that that clause is withdrawn. That is a matter which is purely local, and where the locality, in my opinion, are better judges than the central body. There is another proposal by the Government to hand over to the County Council the inspection of common lodging-houses. Well, now, they have to be visited by the sanitary inspectors in every district, and instead of the County Council taking that work over, it could be done by the local authority better than by the County Council. These are the main matters.

13,180. (*Lord Farrer.*) The Building Act?—There are a great many matters of the Building Act. In the road where I live there are gardens in front of the houses. If a person wants to put a bay window into

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the house he has to apply to the County Council. The County Council communicate with the local authority. The local authority then go and view it, and say whether in their opinion it is a right thing to be done. Then it comes back to the County Council before a committee. Their officers have to report upon it, all of which is such a trumpery matter that I think the locality ought to be trusted with a little thing like that. And there are many other matters pertaining to the Building Act that could be removed from the central body to the local authority.

13,181. (*Chairman.*) Well, now, what position would the area of the City of London take under this scheme of yours?—I am of opinion that it should be made a local authority, not less important, but similar in all respects, and if any difference was made I would make it a little more important than the other local authorities, but I certainly would not make it of less importance, as is proposed to be done by the scheme that is now before you, notably by a clause on page 13. The Public Libraries Act throughout the whole of London is carried out by the various local authorities. Lambeth, St. Pancras, Islington, can build its own free library. Lambeth has done so. They can make a rate, and the ratepayers of Lambeth can pay up to 1*d.* in the pound, but it is proposed by this scheme that the powers as local authority under the Public Libraries Act should be taken over by the County Council and the City is to be made worse off in that respect than even the parish of Lambeth. I think that is unfair, sir; it ought not to be done for a moment, and it is unfair to the ratepayers of London, because if it is right for the ratepayers of Lambeth to pay for their free library, then the ratepayers of the City ought to pay for their free library.

13,182. (*Lord Farrer.*) I suppose the free library in the City has not been made out of rates at all, but out of the City's cash?—The words are "powers of the "local authority under the Public Libraries Act." But even then I think it is going a little too far to take away from the City their free library.

13,183. (*Mr. Smith.*) Is it not the Guildhall Library you are speaking of?—The one there, yes.

13,184. Is not that of a different style or character, a metropolitan library. It is a reference library of great value?—It is of great value, and, personally, whilst I have no desire to make the City different in the usual way with regard to it, I would even stretch a little and let them have the honour and credit of managing their own library, rather than hand it over to the County Council.

13,185. Does not that rather follow the Lord Mayor and the mace?—I think not, sir.

13,186. Is not it one of the things which is metropolitan in its character, and is going to be one of the endowments of the whole of London? — If it is considered that.

13,187. (*Chairman.*) It is a point to be called attention to. But it is not radical. The whole scheme is not bound up with that?—No; what I meant was that I have no desire to belittle the City, I would make it in all respects as important as the other districts, and if any difference was made, bearing in mind its antiquity, I should personally desire to make it a little more important if it could be so done.

13,188. I rather gather from what you have been telling us about these proposed functions, that instead of doing as is proposed there, and making the powers of the London County Council, which are now exercised in the rest of the metropolis, exerciseable in the City also, you would contract the powers of the London Council in other districts?—I should like to do so, and to make those local authorities a little more important than they are now; but there are other matters of administration which I think, speaking for the County Council, should have the same power and authority in the City as they have over the other parts. For instance, when we make our rates, the rate on the City is 11·90*d.*; but in the outside areas it is 14·25*d.* I think, for all administrative purposes, there ought to be one rate over the whole of London, and it causes an unpleasant feeling outside because of this difference.

13,189. (*Lord Farrer.*) That arises from the fact that the City do certain things for themselves which the County Council does for the rest of London?—Yes, and I think that as the County Council does it for the outside areas, such as the pauper lunatics and industrial schools, there ought to be a uniform system throughout London. It is an anomaly that it should have been allowed to continue, and I think it should be done away with.

13,190. (*Chairman.*) Your idea is that although you can pay a little respect to the antiquity and history of the City of London, you would make the City of London be administered practically as St. Pancras is and should be administered?—I think you cannot make much difference in that. One other point is this. I disagree with the scheme submitted to you by the London County Council, and in another respect, I desire to do away with anomalies, and if a scheme is carried out, it will still be a great anomaly that whilst the Home Office has the control of the police throughout the whole of the metropolitan area, you are going to continue the anomaly of the County Council, having the control of the police in the city area. I think the police of London ought to be under one management, and that management should be the Home Office. I think that is an anomaly that is intended to be kept up that ought not to be. Again, all the county courts of London are under the management of the Government, except the City of London Court which is under the control of the Corporation at present, and it is intended to be kept by the County Council. There again I think either all county courts should be under the County Council, or if the others are to remain as at present, then the City of London Court should be handed over to the same management as the other county courts. London otherwise would still keep up an anomaly which I understand the object of this Commission is to try and prevent.

13,191. Well, under your idea the government of the City of London proper would be very much altered in character?—It would be so, sir.

13,192. Would you alter the constitution of the governing body?—You mean the present Corporation?

13,193. Yes?—Certainly; they would have to be brought into line with the bodies outside. You could not have a different system for one local body in the City and a different system outside.

13,194. Then you would have a certain number of councillors elected by thirds every year?—Yes.

13,195. With a presiding officer, whatever his name was?—Yes, whatever his title should be. Of course, I prefer for the sake of getting good people the title of mayor, but I have no great choice one way or another.

13,196. Now, we understand that. Then what would become of the Lord Mayor and the appanages of that office?—The Lord Mayor would have to be elected by the whole of London. He is looked upon now as the Lord Mayor of all London, not of the City; therefore, I think, that is one of the necessary consequences of the amalgamation of the city and county.

13,197. Elected by the whole of London. You mean by that of the Council?—By the Council. I do not think that can be avoided.

13,198. And would the endowments of the present Lord Mayor, so far as they were separable from what may strictly apply to local administration, be transferred with the Lord Mayor to the whole of London?—If the Lord Mayor was elected by the Council, I think the other matters would have to follow.

13,199. Then your variation from the scheme which is in that book turns upon this, that you would rather take away from than increase the

functions of the County Council?—In all matters that can properly be carried out by the local authorities, all matters other than strictly metropolitan matters.

13,200. But you would reduce practically the administration of the City to the same condition as the administration of the outlying districts?—Yes.

13,201. And you would transfer the Lord Mayor and the appanages and endowments thereof to the person chosen by the County Council?—I do not think that can be avoided, sir, if the County Council elects the Lord Mayor. If that is admitted, you must transfer the other matters.

13,202. (*Lord Farrer.*) Have you at all considered another point which I think is mentioned in the scheme, namely, whether the chief officer of the County Council should be, as he is there, a member of the Council, and paid by the Council, or whether he ought to be a town clerk?—I approve of the principle of having a town clerk. I think that is the proper system. I have always been opposed to a deputy chairman, an officer of the Council paid by the Council, and I think if any change is made, we ought to have a town clerk for the Mayor and Corporation of London rather than a deputy chairman.

13,203. What is your reason?—Well, I think it causes a little invidious feeling that one member of the body should be elected when a great many other members are giving a good deal of their time for which no payment whatever is made to them. I have heard many members make that remark to me, "We come down here day after day, give our time, "and we get nothing, not even our travelling "expenses."

13,204. Is not there another side of the question? It might be rather hard on the person who has the very onerous duties of deputy chairman, if he were thrown out at the next election and lost his place altogether?—It would be very hard then.

13,205. And it might be awkward for the Council, might it not?—Yes.

13,206. (*Chairman.*) Might it not be very inconvenient to make the administration turn on the presence of an elected member?—It does, sir, and you want a continuous clerk to the body, one whom there is no chance of an election displacing.

13,207. (*Lord Farrer.*) There is one other matter. Have you thought at all whether it is desirable in any way to make any connection, more than exists at present between the Central Council and the local bodies?—I would do every thing that I could, my Lord, to prevent the central authority interfering with the local authorities.

13,208. I am speaking now not of the one interfering with the other, but is there any means that you could suggest of bringing the two together, so that there should be a good feeling between them?—The only thing would be for the central body to try and not take, say, the duties from the local bodies and not interfere with them. The feeling that is causing more ill-feeling against the Council than anything else is the continued desire of the Council to interfere in local matters. The local authorities wish to be left independent, but I would let the County Council have power, in the event of a local body omitting to do its duty, to call upon that body to do it, and if they failed to do it, that the central body should do it, and make the local authority pay the cost, but not if they do their duty.

Mr. T. B. Westacott.

3 May 1894.

13,209. But my question rather refers to suggestions that have been made to us that it might be possible either that certain members of the local body might be *ex officio* members of the central body, or *vice versâ*?—No; I disagree with that altogether. I think you must have an elected body, because if you have delegates from the local body to the centre, or the reverse, I do not think that would work well.

13,210. (*Chairman.*) They would be elected in each case. Supposing you had got this, I do not say whether it is a good or a bad suggestion, that the elected members to the County Council for St. Pancras should be *ex officio* members of the Council of St. Pancras?—I think there is no harm in that. In fact, at the present moment, three of the Councillors of St. Pancras are members of the local vestry; there were four.

13,211. Would it be convenient to make that the rule, so as to always have upon your local council some persons who are in touch with the proceedings of the central council?—There could be no objection to that: in fact, I think it would be an advantage.

13,212. (*Lord Farrer.*) I think the suggestion has been made that the chairman or somebody else belonging to the local council, should be *ex officio* a member of the central council?—I do not think that would be an advantage. I think it would be answered by the other way; if those representing the district were to be *ex officio* members of the local body, it would be far better than the reverse case.

13,213. (*Mr. Smith.*) I think you must have had some training in local government outside London?—No, sir; I have had twenty years' experience in the Vestry of St. Pancras, where I held every position that the vestry could elect me to, and, if I may be allowed to say so, it has been of very great service to me in my work at the County Council.

13,214. Well, I have had some experience in municipal matters, and I have not a word to put to you in cross-examination. I agree with almost everything that you have said?—Thank you.

The witness withdrew.

Adjourned till to-morrow at 11 a.m.

TWENTY-SEVENTH DAY.

At the Town Hall, Westminster, S.W., Friday, 4th May 1894

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., *Secretary.*

MR. T. WHITTINBURY WHEELER, Q.C., a Member, and MR. WILLIAM CHAMBERS LEETE, Clerk, of the Vestry of Kensington, recalled and further examined.

Mr. T. W. Wheeler, Q.C., and Mr. W. C. Leete.

4 May 1894.

13,215. (*Chairman.*) Mr. Wheeler, as a member of the Kensington Vestry, you desire to complement the evidence that you gave on a former occasion*?—Sir, I and my friend Mr. Leete, since we had the honour to be here before, have formulated our views in writing, and I do not know that Mr. Leete or I could add anything to that. We have prepared our proof together,

* *See* 10,521–681.

Mr. T. W. Wheeler, Q.C., and Mr. W. C. Leete.

4 May 1894.

I need hardly say after great consideration, and anything you may be pleased to ask we shall be delighted to answer, but the statement we hand in sets forth the further evidence we desire to lay before the Commission.

13,216. Well, you take a position, I see, at the outset which is not proved by being merely stated. Would you explain on what grounds you hold that the various local authorities of the metropolis should be placed in as advantageous a position as the county boroughs?—If you would allow me, I would rather leave this, in the first instance, to my friend, but that is hardly the effect, I think, of paragraph 2. We here represent the views of Kensington, and I think we are rather in the position of representatives placing the views of Kensington before you than speaking on behalf of local authorities generally. I think that would be my friend's view. (*Mr. Leete.*) I may say, sir, in supplementing the evidence which we gave on the last occasion, when, if you remember, I laid before the Commission certain figures shewing the position of Kensington—the relative position of Kensington—to the various county boroughs throughout the country, and submitted, with all respect, that Kensington was as regards population, rateable value, and in other respects, a sufficiently distinct and important area to be granted what I may term full municipal life privileges, that we have drawn up this supplementary statement of evidence following on the same lines.

13,217. Do you mean to start from the assumption that because Kensington in population and in rateable value would take a high rank among the county boroughs of the kingdom, therefore there is full reason for the legislature giving it the same autonomy as a county borough, quite irrespective of the fact that it is contiguous to equally densely populated areas forming part of something which we call the metropolis?—We fully appreciate, sir, the position which we occupy as regards the surrounding districts, and we recognise, and have recognised all along, that there are certain powers and duties which are performed by the county boroughs which in the metropolis must be exercised by a central authority. But what we do say is that the powers and duties of the representative authority in Kensington should approach as nearly as possible to those of a county borough, and that there should be a good and sufficient reason why any duties should be performed by a central authority, as distinct from a local authority, before the local authority should be deprived of them.

13,218. Well, if I may say so with respect, that appears to me to mean nothing. When you come and say it is as near as possible, and that some variation is necessary, and that a central authority must be established, then it becomes a question of more or less, and I should like to see what reason there is for putting forward this abstract proposition as to the independence and similarity of character of Kensington to a county borough?—I am putting forward, sir, the view of my vestry, and what my vestry are seeking to do is to raise the importance of the various local authorities in the hope that they may attract on those boards the best class of men in their districts to carry out its administrative functions.

13,219. Well, we will proceed to details. You gave some evidence last time as to the desirability of uniformity in the administration of the Building Acts?—We urged, sir, the desirability of these Acts being administered by the local authorities and of the duties at present exercised by the district surveyors being vested in those authorities, and we have thought it sufficient in the statement which we now place before you to reiterate our views upon this point, particularly having regard to the fact that I believe you have had before you other witnesses who have dealt at considerable length with this matter.

18,220. Then you merely wish to repeat what you said before?—Quite so. We merely wish to remind the Commissioners that great unanimity of opinion prevails amongst the local authorities in favour of the enforcement of these Acts being entrusted to them, the demand for the same having been put forward on more than one occasion when such authorities have been assembled in conference, and notably at the one convened by the Vestry of Chelsea in June 1890, and also at the one held at the instance of the Vestry of Kensington in December 1891, to consider the provisions of a Bill drafted by the Local Government Board for the consolidation of the Building Acts. In regard, however, to two questions which were addressed to us in our examination (Nos. 10,570 and 10,571) as to the desirability of there being uniformity in the administration of the Building Acts, and to byelaws being framed by the County Council, we wish to point out (1) that the Acts themselves tend in a great direction to promote the desired uniformity, as the rules and regulations applicable to buildings are laid down and defined in detail and with great exactness therein, and (2) we recognise that there are certain matters upon which it would be most expedient and necessary that byelaws should be framed of general application to the whole metropolitan area; but here again we claim that the enforcement of the byelaws should be vested in the hands of the local authorities.

13,221. And with respect to the sky signs, you think that is a matter that should be administered—the Sky Signs Act—locally rather than by a central authority?—We say, sir, that it can be administered with equal efficiency, and we venture to think with greater economy, by the local authorities and of course, sir, if the Building Acts were referred to the local authority to administer, I take it that the Sky Signs Act, being a measure akin to the Buildings Acts, would necessarily follow.

13,222. I see, you desire to fortify your position by the fact that the Over-Head Wires Act is administered locally?—Yes, sir.

13,223. Do you think that is a power it is very clear ought to be administered locally, the powers of the Overhead Wires Act?—My vestry, I may say took a very prominent position when the Overhead Wires Bill was before the House of Commons, in claiming that the enforcement of the Act should be vested in the local authorities. The Bill, as originally drafted, provided that the byelaws should be made by the London County Council, and should be administered by the Council. My vestry petitioned against the Bill, and were heard before the Committee, in fact, practically took the lead in the opposition, and fought the question out before the Committee of the House of Commons, with the result that the Committee decided in our favour.

13,224. Decided what?—Decided that the enforcement of the bye-laws made under the Act should rest in the hands of the local authority, and not the central authority.

13,225. The bye-laws being made by whom?—By the central authority; that we did not dispute for a moment.

13,226. Then would you have bye-laws about sky-signs made by the central authority?—We should have no objection whatever to that.

13,227. All you want to do is to administer?—That is it, sir.

13,228. You support other witnesses in suggesting that the Weights and Measures Act should be administered locally?—We do, sir. We have given, in our statement a short summary of the position of matters as regards those Acts.

13,229. (*Lord Farrer.*) You will put in this paper, I suppose?—(*Mr. Wheeler.*) Oh, certainly.

13,230. (*Chairman.*) It might not be printed; you had better repeat it?—(*Mr. Leete.*) Very good, sir. The position of matters as regards these Acts may be summarised as follows:—By section 50 of the principal Act of 1878 (41 & 42 Vict. cap. 49) and Fourth Schedule the "local authority" for boroughs is defined to be the mayor, aldermen, and burgesses acting by the Council. Then by section 55 power is vested in any vestry commissioners or other body in the metropolis, who had any duties or powers

under any local Act, charter or otherwise in relation to the appointment of inspectors or examiners of weights and measures, to resolve that such duties and powers should cease. That was a peculiar provision, sir, and I think it was really nugatory. There was no action taken by any of the authorities upon that provision. As regards London, there being no special provision in the Act, the local authorities were the Justices for the County of Middlesex including the Metropolis. On the passing of the Local Government (England and Wales) Act, 1888, the administrative business in this matter was transferred with other judicial work from the justices to the London County Council.

13,231. (*Lord Farrer.*) Do you know what the reason of that was?—I think it came over, my Lord, under a general provision transferring certain duties from the justices to the Council.

13,232. (*Chairman.*) It was not peculiar to the London County Council; it applied to every county council in England?—Oh, quite peculiar to the London County Council.

13,233. Was it?—(*Mr. Wheeler.*) I think you may take it that it was so, sir. (*Mr. Leete.*) There seems to have been in the minds of the Council a little difficulty owing to their having general powers for the appointment of the inspectors of weights and measures throughout the metropolis, and yet powers still being vested in the hands of certain of the vestries to appoint inspectors also, and by the Amending Act of 1889 (52 & 53 Vict. cap. 21. sec. 16) it was provided that the inspectors of weights and measures appointed by the London County Council should alone, within the whole of the county of London, exclusive of the City of London, have the powers and discharge the duties of inspectors of weights and measures appointed under the principal Act.

13,234. (*Lord Farrer.*) Then was that not because, generally speaking, in the counties these administrative duties had been discharged by the justices?—Yes, my Lord.

13,235. And they were transferred from the justices to the new elective body?—That is so.

13,236. Those administrative functions?—That is so.

13,237. And consequently in London the administrative functions of the justices with respect to weights and measures were transferred to the new County Council?—That is so, my Lord.

13,238. That is part of the plan of 1888?—Yes, but you see the peculiar position was that, in certain districts, the local authority still retained the power under some local Act to appoint these inspectors.

13,239. In London?—In London, my Lord.

13,240. In which districts, do you know?—I cannot speak for certain, but I think it may be safely assumed that there were some, my Lord, or else you would not have had the amending provision which required that any such powers vested in the hands of local authorities should cease; and I think it was, my Lord, owing to the fact that no vestry, commissioners, or other body had resolved, under the power given to them by section 55 of the principal Act, that such duties and powers should cease; that it was deemed expedient by the County Council to initiate the amending legislation.

13,241. But I do not think the County Council had anything to say to it, at all, because they were not in existence; it was the Government?—I have not that amending Act of 1889, my Lord, before me, but I thought it was promoted by the County Council.

13,242. Of 1889; I meant of 1888?—It was by an amending Act of 1889 that the whole of the powers under the Acts was given to the County Council.

13,243. (*Chairman.*) That question that I interjected just now, what was done in 1888, giving it to the County Council of London was not peculiar to London?—I take it it was peculiar to London, sir.

13,244. How so?—Because throughout the country the provision that the local authority should be the mayor, aldermen and burgesses acting by the Council, stands.

13,245. Oh, but we are speaking of county business. In the county of Yorkshire, apart from the county borough or boroughs of Yorkshire, before the Act of 1888, the question of inspection of weights and measures rested with the justices?—Yes.

13,246. And was transferred to the County Council?—That may be so, sir; I rather regarded it, owing to there having been no particular provision as regards the metropolis in the matter, as a special proviso for London.

13,247. Section 3 of the principal Act; have you got the principal Act here?—I have not, sir.

13,248. Section 3 of the principal Act, you know, long precedes any reference to London; London comes in subsequently under other sections. Section 3 of the principal Act runs "There shall be transferred to "the Council in each county on and after the "appointed day any administrative business of the "justices to the county in quarter sessions," and then comes after that details, and one of these details, sub-section 13, "The execution as local authority of "the Acts relating to contagious diseases of animals, "to destructive insects, to fish conservancy, to wild "birds, to weights and measures." It was not peculiar to London; every county council created by the Act received these powers which had before been vested in the justices?—But I do not understand, sir, that by that Act the powers were taken away from the councils of the corporate towns.

13,249. That I am not saying; they were taken from the justices?—Throughout the county.

13,250. Throughout the county; they were taken from the justices as regards counties and transferred to county councils, and so in London they were transferred to the County Council. Yes, go on?—Well, the vestry of Kensington suggest that if the local authorities——

13,251. (*Lord Farrer.*) May I just ask you a question with regard to the Act of 1889; was that an Act brought in by Mr. Ritchie?—I cannot say, my Lord.

13,252. It was not an Act brought in by the County Council, was it?—I am not able to say; I have not the Act by me.

13,253. Of course you would agree that there ought not to be over-lapping authorities; it ought to be done by one or the other?—Oh, quite so.

13,254. (*Chairman.*) Go on, Mr. Leete?—Well, we base our argument that the Weights and Measures Act should be enforced by the local authorities on the ground that we already have the enforcement of the Sale of Food and Drugs Act, which is a criminal measure, and somewhat akin, if I may say so, to the other Act.

13,255. Surely the dominant reasons for apportioning these powers between the vestry, or whatever the local authority may be, and the County Council must be reasons of convenience of administration?—Certainly.

13,256. You had better not go upon precedent, or abstract principle if you can avoid it; it is more convenient, that is your best argument, that it should be done locally than that it should be done centrally? That is our argument, undoubtedly. (*Mr. Wheeler.*) That is our argument.

13,257. Now will you extend that to your next point; is it more convenient that technical instruction in the metropolis should be administered locally or centrally?—(*Mr. Leete.*) I think it would be a wise provision that it should be administered locally.

18,258. Would you give us your reasons for that?—At any rate my vestry are at the present time, if I may say so, rather feeling the want of power in promoting technical education in their midst. We have had an effort made in the northern part of our parish to promote technical schools, and I do not doubt that had my vestry had the powers given under these Acts they would possibly, probably perhaps, have decided to assist that movement.

Mr. T. W. Wheeler, Q.C., and Mr. W. C. Leete.

4 May 1894.

13,259. (*Lord Farrer.*) You are aware, are you not, that a board has been appointed by the London County Council, to manage this matter?—Yes.

13,260. And that that board consists partly of members of the County Council and partly of the best experts whom they could get amongst persons interested in the subject from outside; you are aware of that, are you not?—Yes.

13,261. And you are aware that the Board has tried to take up the subject as a whole, to look on the whole wants of London, to see where there are educational establishments now existing, in what respects they are failing, and to supply the wants of London as a whole?—You are aware that that is the case, are you not?—I was not aware, my Lord, that they had advanced so far as that; I am pleased to learn it, and I only hope, my Lord, that the northern part of my parish may receive the very careful consideration of that Board.

13,262. Have you seen the report of Mr. Llewellyn Smith on that subject?—I saw one report which was issued; it was on the County Council Minutes some time ago, and I think the report by Mr. Llewellyn Smith was referred to in it, but was not given *in extenso* in that report.

13,263. You have not seen that?—No, I have not.

13,264. It was a report upon the whole state of technical education in London, a most valuable report?—Oh, no doubt.

13,265. And that showed how the thing could be treated as a whole, showing what establishments there were, and what establishments required additional helps and development. Do you not think there is a certain convenience in treating a subject of that kind as a whole, rather than dealing with it in a manner according to which driblets of money are to be paid away by separate local authorities?—I think a great deal might be said for it, my Lord, but if this fund is going to be administered by a representative body in the metropolis, I think that there is a liability to a failure of justice. For instance, the representation of the various districts varies considerably, and one district may be blotted out, owing to the number of representatives from the other districts being in excess.

13,266. I want just to get at what you think would be the desirable plan. A certain sum is now paid by the Government for the purpose of technical education to the London County Council; that is applied in the way which I have been telling you. Now I want to know what you would do; would you take that sum and divide it among all the vestries and district boards in proportion to their population, or in some other proportion and allow them each to administer that in their own way in their own district?—I think that that would be a very fair way of doing it.

13,267. And do you think that would probably advance education as a whole in London as well as the plan which is now being pursued?—Well, I am speaking, of course, without the plan before me, except as you have shadowed it forth, my Lord. But what I fear is this, that when in a popularly elected body like the London County Council, a proposal goes up from a committee in favour of a grant being made to a certain district, it depends on a very great many accidents whether that vote goes through or not. It may be that the representative of the district is a popular man in that body—is a man of weight—and he may urge the claim of the district with force, and it goes through. On the other hand, the representative of the district may not be a prominent member in the Council; he may not have the force and strength that the other man would have; the proposition is put forward, and opposition is offered to it, and the vote is lost. The district would then lose the grant.

13,268. Are you aware—you do not appear to be aware—of the way in which the thing is actually done; it is not done by an ordinary committee in which any member proposes a vote for a certain district; nothing of the kind takes place. There is, as I told you, a separate board established, consisting partly of members of the Council, and partly of persons who have devoted their time and attention to this particular subject; and that board has prepared a general plan for London, and it is only that general plan which is approved, and not a special vote for a special district?—No, but in drawing up that general plan, I suppose there is an allocation of funds to the various districts.

13,269. Not necessarily to the districts?—I mean to say there is a vote taken in that board as to whether it is expedient that a technical school shall be placed here or there.

13,270. That a given school shall have such and such assistance; that is part of the general plan?—Yes.

13,271. (*Chairman.*) And you are seriously afraid that Kensington or any other district of the metropolis will be neglected in comparison with other districts by the administration of such a board; is that a serious ground of fear with you?—My experience would certainly say that it was to be feared.

13,272. What experience do you refer to?—I mean to say, watching the proceedings in other matters. Of course it would all depend upon the constitution of this board, what members of the Council are represented upon it. If the County Council place upon this central board representatives of the north, south, east, and west in equal number, that would point to fairness and impartiality, but, on the other hand, there may be on that central board four respresentatives of the Council from one part of London, and only two from another part.

13,273. And your experience justifies these anxieties?—I do not wish to put it too strongly, Mr Chairman, I am only desirous that, in the administration of any funds under the Technical Instruction Act the very best course shall be followed to suit the metropolis as a whole. I can go as far as to admit that, on this matter of technical education, a general scheme for the metropolis, would, no doubt, be preferable.

13,274. You are aware, that in the other counties, a similar fund is administered by the County Council, although the areas under their care are much more widely scattered?—I was under the impression, but I am speaking in ignorance—that in Nottingham, and in those large boroughs, they were entitled and empowered to administer such Acts as the Technical Instruction Act.

13,275. That is quite true, but they are county boroughs; the county borough gets its share. But take the case of Cornwall or Devonshire, where there is only one county borough, or, at the utmost, two. The County Council administer the funds allocated to them for that purpose, throughout the whole of the county. Now is it a question of convenience and economy that the funds should be distributed by a central authority, which can organise its works so as to have no unnecessary duplication of schools of the same kind, or that money should be parcelled out into small districts, and administered with a risk of feeble administration and ineffective administration, by the authorities of smaller areas?—I hardly think, sir, that the metropolis is quite to be put in comparison with the general counties of England. As I say, if it is feasible that a scheme shall be drawn up applying to the metropolis as a whole, on strictly impartial lines, I should acquiesce in that proposal; but, on the other hand, I am quite satisfied of this, that if it was left to the various districts, I fancy common sense would prevail, and that as regards Kensington and Chelsea—Kensington would not be foolish enough to put a school just on the boundary of its parish where another school was about to be placed on the adjoining boundary of the parish of Chelsea.

13,276. (*Mr. Smith.*) Do you not think, sir, that any representative body would have regard to the character of the district in allocating technical schools to it?—I do, sir.

13,277. And it might occur to you, I should think, that in the county boroughs, to which you have

alluded, the county boroughs are not in the habit of allocating technical schools to any extent to their residential districts, do you know that—does that occur to you?—I should, of course, have assumed that that would be so, that they would not.

13,278. Take your own case, you would hardly expect that a residential district like Kensington would be in as much need of technical instruction—technical schools—as a district populated more by artisans?—Well, in dealing with Kensington you have to deal with two Kensingtons—and that must not be forgotten.

13,279. Yes?—The northern portion of our parish is as different as day from night to the southern.

13,280. Yes?—And in the northern portion of our parish, I could certainly assert very strongly that it was a most desirable district for the establishment of a technical school.

13,281. Yes?—And already there has been something done in that direction for many years past by one of the large charities of the parish—the Campden Trustees, of which movement the late Mr. Herbert C. Saunders, Q.C., Chairman of the Executive Committee of the City and Guilds of London Institute for the Advancement of Technical Education, was one of the principal promoters.

13,282. Quite so; but assume for a moment that there is a district in London that is purely residential, you would hardly say that that was the most suitable place for a technical school?—Well, when you speak of residential, sir, if it is a residential district for mechanics——

13,283. No; you know what I mean by residential; take the ordinary town houses, probably from 50*l.* or 60*l.* upwards?—I am not quite sure.

13,284. Now, that is not quite the district in which you would expect a technical school to be established, and, therefore, it would be undesirable, would it not, and unnecessary to allocate to London, to each district irrespective of its character, a share of the technical instruction grant?—Undoubtedly, sir. The whole of the surroundings would have to be considered. In South Kensington, which is a residential district, I may point out, you have one of the best of schools at the South Kensington Museum, the science and art classes there, being open to all.

13,285. But that is metropolitan, and even national in character.

13,286. (*Chairman.*) However, you are quite right to be jealous for the authority of your locality.

13,287. (*Lord Farrer.*) What you are saying about this is not derived from any experience of the bad effect of what the London County Council are doing?—As a matter of fact, I suppose we may say that really nothing has been done of much importance yet; the thing is in its infancy.

13,288. But you have not looked at what they have done for you?—They have not done anything which I have been able to see, my Lord, because they have done nothing for North Kensington.

13,289. You do not appear to have read what they have put forward, their plans?—I have not read that report of Mr. Llewellyn Smith, my Lord, but I shall take an opportunity of doing so.

12,290. And you have not read the subsequent proposals of the technical education board of the Council?—No, I have not, my Lord.

13,291. And you are aware also that there is a Commission upon technical or secondary education now sitting?—At the present time.

13,292. Which possibly may alter the whole mode of applying these funds?—Quite so.

13,293. (*Chairman.*) You wish to support other witnesses in desiring that the local authority should be the authority in respect of cow-houses, slaughter-houses, and dairies?—We do desire that, and I think we have rather strong grounds for suggesting that that should be left to the local authorities. We already have to visit, and make an inspection of, these premises, we have to see to the enforcement of all sanitary provisions in regard thereto, and, I venture to submit, the hands of the local authority would be materially strengthened for the purposes of their present duty if the actual licensing of the premises were granted to them.

13,294. But do you think, in reference to these Acts, that the byelaws should be made by the central authority, leaving the administiation to the local authority?—I think they might, sir. Of course, the power we are asking for is the licensing principally; that is that the local (sanitary) authority shall be entitled to say whether a man has conducted his slaughter-house in such a manner as to justify his license being renewed or being withheld.

13,295. You reaffirm what you said last time about the numbering and the naming of the streets?—Yes, sir, and also as regards the maintenance of open spaces which are essentially local in character.

13,296. (*Lord Farrer.*) That you would enforce upon the local authorities, would you not?—Yes.

13,297. (*Chairman.*) You do not see any difficulty arising from a repetition of names in the metropolis if local authorities were to have the power of naming streets?—I agree, sir, that in allotting new names to streets there should be a vetoing power, whether it is the County Council as at present—that is to say, whether the County Council should ultimately sanction the name—or whether it should be the Postmaster-General, but as regards the desirability of renaming a street, or the desirability of renumbering a street, that, I say, is a matter which might with every advantage be left to the district itself to settle.

13,298. Supposing two districts had the same name, and it was eminently desirable that one name should be altered, and the two districts could not agree, each clung to its own name; how would the difficulty be settled according to your scheme?—I should imagine, sir, with representations made from the one district to the other, that common sense would prevail, that one of the districts would give way. I do not doubt myself that that would be so. Of course if the districts were so stubborn, why it might possibly be a simple plan to give to the authority who had the veto as regards new names the power to intervene in such a case as that on the representation of a district.

13,299. Suppose you had two districts like Paddington and Marylebone—each with a Gloucester Place—of authority about equal to one another; are you satisfied that it would be quite easy to get one or the other to give way?—I should say, without a doubt, that it would, sir; I should certainly have sufficient confidence in the authorities of either Marylebone or Paddington to see that common sense prevailed, and that the public were not inconvenienced by any such difficulty.

13,300. You never heard of a local authority clinging to its own name in spite of remonstrance?—Oh, I have heard of such a thing, sir.

13,301 Now what have you to tell us about the raising of loans by local authorities?—Well, we are desirous of referring, sir, to the unsatisfactory position of the local authorities at the present time as regards the raising of loans, and of suggesting that in any prospective legislation, the provisions of the Metropolis Local Management Act, making the sanction of the London County Council a condition precedent to the raising of any loan by a local authority, should be repealed. We recognise that there should be a supervising authority in this matter, but prefer the procedure which obtains outside the metropolitan area, namely, an inquiry in the district by a permanent official department such as the Local Government Board, as we consider that no justification can be shown why a matter solely affecting the ratepayers of a given district, such as the raising of loans for local purposes, should be determined by a fluctuating body of representatives from a number of other districts. Our point is simply this, sir, that if Kensington is desirous of raising a loan of 5,000*l.* for the carrying out of a street improvement or for the carrying out of certain works—the purchase of a

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wharf—that plainly is no business of Rotherhithe, Bromley, or Bow, and that the representatives of those districts on another body are not required to have a voice as to whether Kensington should borrow that money or not. I think an inquiry in the district is desirable, because it would be certainly expedient that any ratepayer of the district should have a right of making his voice heard in opposition to the proposal if he so desired it. With regard to applications relating to loans, I have seen, sir, what I was pointing out a few minutes ago, the peculiarity of the present state of things as regards the central board. I do not speak of it of simply in respect of the County Council, I speak of it also in the days of the old Metropolitan Board of Works, the same thing prevailed. You depend greatly perhaps upon an individual as to whether you get what you want or not. The Vestry of Kensington, for instance, have only recently been negotiating with the London County Council for a loan, a small loan, for 3,000*l.*, for carrying out certain street improvements. To most of those improvements the London County Council had themselves contributed; there were, I think, in all four improvements. The application was deferred because they were small improvements, and we waited until a substantial sum was required, the moneys being paid out of a suspense account. When we approached the County Council after some little time, we were informed that they were unable to sanction the loan, looking to the lapse of time that had taken place since the improvements were carried out. I think they had extended over a period of three years. Fortunately we were able to refer to a resolution passed by the Council themselves some 12 months before, in which one of their committees had laid it down as inexpedient that loans should be advanced for very small sums, not less than 1,000*l.* at any rate, and that the local authorities should defer their applications for small amounts until the total had reached a substantial sum for which to make an application; and thanks to the energy of one of the representatives of our district, an energetic member of the Finance Committee (I dare say Lord Farrer will recognise the name, Mr. Campbell) we eventually got our loan. But if we had simply accepted the first answer of the Council, the ratepayers of the parish for six months in that year would have been saddled with altogether an undue burden. That is one instance, sir, of what I venture to think is the failure of the present state of things.

13,302. Do you know how these applications are treated by the County Council?—They are referred to a Finance Committee, and the Finance Committee make their recommendation thereon to the Council.

13,303. Do they look into the character of the work and the term for which it is proposed the loan should be effected?—Oh, yes, and of course, sir, there is no objection to there being some supervising authority, the only thing is that if it were in the hands of a Government Department you would have more fixed rules and, shall I say, greater impartiality.

13,304. (*Lord Farrer.*) What do you mean by a Government Department?—Either the Treasury or the Local Government Board; I think the Treasury myself would be the best.

13,305. What does the Local Government Board consist of; it consists of certain individuals, does it not?—Permanent officials.

13,306. Like the Finance Committee of the London County Council?—Permanent officials, my Lord, with one parliamentary chief, is it not?

13,307. That is so, but does it not in that case depend very much upon the report of some one official?—Yes, only that official, my Lord, I should say bases his reports on definite lines. It does not depend upon a vote put at a meeting of some 70, 80, or 90 persons, and upon a chance division taken one way or another.

13,308. Do you think that the decisions of the Finance Committee of the London County Council are governed by pure chance; do you think they have no principles to guide them?—Oh, the recommendations of the Finance Committee, my Lord, may be somewhat consistent, although my experience of committees points to this, that committees vary; the same gentlemen are not always in attendance; at one meeting you may have three men of entirely a different view to the three men who would sit at the next meeting.

13,309. You would prefer the one man government of the Central Government Department to the several men government of a committee of any council?—On a matter such as this, of the raising of loans, I think it would be desirable.

13,310. (*Chairman.*) What are the elements which should be considered, do you think?—In the first place, sir, whether the application is a legitimate one to make, whether the works or whatever the loan is required for is something which the authority have the sanction of Parliament to do, that is to say, that they are not doing something which is outside their powers; and, secondly, the period over which it is proposed to spread the repayment of the loan, in order to see that some equity is observed as regards the ratepayer of to-day and the ratepayer of the future, and I think when those two points are considered that is pretty well all.

13,311. You look upon those as quasi-judicial investigations?—I do, sir. (*Mr. Wheeler.*) May I without interrupting or venturing to presume to say anything inconsistent with what my friend has been saying, is that having appeared myself as counsel in several of these matters, I have been struck with the judicial character of the tribunal, the whole matter having been investigated by two sides very much after the manner of an ordinary *nisi prius* issue.

13,312. You mean when you have an inspector?—Certainly, I think so, without venturing to dilute anything my friend has said. I have been very much struck with the cogency of the inquiry.

13,313. (*Mr. Smith.*) That does not always add to the facility with which inspectors get through their work?—I think it very much affects the equity of the result, sir.

13,314. The difficulty that I understand exists is this, that the Local Government Board is absolutely congested with work with regard to these loans, they have not a sufficient staff of inspectors, and the whole policy of Parliament, as shown by the Act of 1894 especially, has been the devolution of this sort of work to county councils?—It will have to be judicial, I think, in character, without interrupting my friend, that is the reason why the inquiry by Local Government Board inspection is preferred.

13,315. (*Chairman.*) Would you prefer the County Council of London to work, not through a committee, but through some officer appointed for the purpose?—I think that would be much the best.

13,316. Perhaps, with the consent of the Local Government Board?—Quite so. (*Mr. Leete.*) In such a matter as this that would answer our point. (*Mr. Wheeler.*) There have been other heavy inquiries in London within the last few years, in which I myself have been concerned.

13,317. (*Mr. Smith.*) In county councils it is common for the chairman or deputy chairman to hold the inquiry?—(*Mr. Leete.*) So long as the inquiry is judicial or quasi-judicial, the particular person inquiring might be a delegate of the London County Council just as much as the Local Government Board.

13,318. (*Chairman.*) Would there be enough work to occupy one man?—(*Mr. Wheeler.*) I should hardly think there would be, sir.

13,319. Perhaps he might have other functions of a similar character?—It should be judicial.

13,320. (*Mr. Smith.*) If I may be allowed to observe, as a matter of fact, I think the Local Government Board is very sorely put to at present to hold its inquiries in time, and in Birmingham, where we have as many as 20 or 30 applications for sanction to loans in the year, I am sorry to say the inspector

often finds the work half done before he can certify whether we can have a loan for the purpose; we cannot wait for him?—(*Mr. Wheeler.*) You see the view my friend and I take is that there should be a judicial inquiry of some kind; everybody heard.

13,321. (*Chairman.*) You have nothing to add as to the borrowing after the sanction is obtained?—(*Mr. Leete.*) No, sir, I have not, because, of course, the local authorities under the present law have a free hand; they may borrow of the county council or they may borrow of other persons.

13,322. There is another point which you wish to give some evidence upon—strengthening the local authority in respect of water?—Yes, sir, that is a new point, and I venture to think a somewhat important one,—it has recently been brought prominently before my own vestry,—and that is the desirability of the local authorities, who are the sanitary authority, being vested with more comprehensive statutory powers to examine the water supply of their respective districts, so that in the event of such supply being found at any time impure or insufficiently filtered, they shall be in a position to take effective proceedings against the defaulting company. We confidently urge that the authority responsible in matters relating to the public health of their district should possess full and complete powers to deal with the quality of so essential a commodity as the water supply to the inhabitants thereof. At the present time, sir, you know there is an official water examiner, Dr. Frankland, who is appointed by the Local Government Board, and there are also three, I think—two or three—examiners, who are paid by the water companies themselves, and who make a monthly report, but my vestry have thought it right recently to obtain samples of the water supply in various portions of their district, and have submitted them to their own public analyst, with the result that they have received reports from that official showing the waters to have been of very bad quality indeed, and at this point we have found our hands tied; the only thing that we could do was to bring the matter before the companies, and to call the attention of the Local Government Board thereto, with the view of bringing, if I may say so, moral pressure upon the companies to see that something was done to remedy the defects. I certainly think that it is not an unreasonable thing to say that the sanitary authority of a district shall be made directly responsible for the examination of the water supply to its inhabitants, and shall have some power of bringing to book a defaulting company.

13,323. (*Lord Farrer.*) That is not a question between the vestry and the London County Council at all?—Not at all, my Lord.

13,324. They have no powers in the matter?—No powers.

13,325. (*Mr. Smith.*) Did you ever make any representation to the water examiner?—Well, my vestry have recently been in correspondence with the Local Government Board and the water companies on respective samples that have been taken. The companies on the one hand have said, "Oh, we "are not being treated fairly, inasmuch as we were "not present when the samples were taken; we "ought to have had notice." So now my vestry have communicated with the Local Government Board, asking the Board whether it would be possible to have an arrangement whereby the vestry shall give notice to the company—not, of course, intimating the place—to give notice to the company on the day that they are going to take any sample so that some representative of the company may be present and take his sample; the vestry will take two samples, one to submit to their own public analyst, and one they propose to forward to the official water examiner of the Local Government Board. That is rather a process of circumlocution, and I venture to think that in any future legislation it might be simplified.

13,326. You do not answer my question; I asked you whether you had made any complaints to the water examiner?—We have made our complaints, sir, to the Local Government Board, which is practically, I take it, making it to the water examiner.

13,327. (*Chairman.*) You have something further to say about the electric lighting?—Well, sir, I think it was one member of the Commission who touched upon that question when we were here before, and drew our attention to the overlapping which occurred. It is so, sir, we recognise that overlapping does exist, and are of opinion that in the event of there being any considerable development of electric lighting operations in the metropolitan area such overlapping would be found to lead to some confusion as regards the administration of the Acts. I find, sir, on reference, that the overlapping does not arise in connexion with the original Act of 1882 or the amending Act of 1888, under which the position of the vestries and district boards, as the local authorities, is very clearly defined, but it was in connexion with the Model Order which was drawn up by the Board of Trade after a very exhaustive inquiry, which was held, I think, by Major Marindin, R.E., that the London County Council were placed in almost an analogous position to the various local authorities and were given rights and remedies which certainly lead to duplication of supervision as regards the electric lighting undertakings of the metropolis, and which certainly tend to confusion of administration.

13,328. (*Lord Farrer.*) For instance?—For instance, the Kensington and Knightsbridge Electric Lighting Company may require to lay a main across the Kensington High Street with the view of supplying a house on the opposite side of the way. The company are required to give notice and to submit a plan to the vestry as the local authority under the Act, they are also required to give notice and to submit a plan to the London County Council. Now it may so happen that the County Council may issue a direction as to how the work should be performed, the vestry might issue a direction which would be contrary to or antagonistic to that of the council, and certainly the company would be placed in a peculiar position—having two masters—to know which they were to serve. I do not know how it crept in, but I should take it that the County Council were present at the inquiry, and I must say, looking through the Model Order, it appears to me that wherever the word "local authority" occurred, they simply asked that the words "and the London County Council" should be inserted therein. That seems to have been it.

13,329. (*Chairman.*) And you would like to have the County Council's functions in that matter abolished?—I really think it is unnecessary duplication, sir, and may lead, as I say to confusion. There are two Acts which we have mentioned in our statement, but have not yet touched upon. They are small Acts, the Prevention of Cruelty and the Protection of Children Act, placing restrictions on the employment of children, and the Shop Hours Act limiting the hours of employment in shops and providing for the appointment of inspectors for the execution of the Act.

13,330. (*Mr. Smith.*) The Shop Hours Act, I think, is in a stage of completion, is it not?—The first Act was defective because it gave no funds, I think, out of which the money could be paid? (*Mr. Leete.*) I think that was it, sir.

13,331. That was remedied by an Act of last session; now I think they are going to remedy some other defect that was discovered in it this year?—Yes.

13,332. It is a sad instance of the way in which an Act of Parliament is drafted nowadays.

The witness withdrew.

Mr. J. Bonthron, Mr. W. Winnett, and Mr. T. H. Munsey.

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Mr. JOHN BONTHRON, chairman, Mr. WILLIAM WINNETT, a member, and Mr. THOMAS HENSMAN MUNSEY, clerk, of the Vestry of St. James, Westminster, called in and examined.

13,333. (*Chairman.*) Mr. Bonthron, you are the chairman of the Vestry of St. James, Westminster?—(*Mr. Bonthron.*) Yes, sir.

13,334. And you have been for a considerable time associated with the vestry?—For 34 years, I think.

13,335. And you are Mr. Winnett?—(*Mr. Winnett.*) Yes, sir.

13,336. What is your connexion with it?—I have been associated with it for 15 years, I am chairman of the Works Committee, and chairman of the Assessment Committee, and a member of the School Board for London.

13,337. And you are also chairman of the Commissioners of Baths?—Chairman of the Commissioners of Baths.

13,338. And you, Mr. Munsey, are vestry clerk?—(*Mr. Munsey.*) I am vestry clerk.

13,339. Now you two gentlemen, I think, come to tell us that the parish of St. James occupies so peculiar a position that it might well be the area of a district of its own?—(*Mr. Winnett.*) Yes, sir.

13,340. Is it not rather small?—It is small, sir, but very valuable. Mr. Bonthron, who is the chairman, might like to speak on that point.

13,341. What do you say upon that point, Mr. Bonthron, is it not rather a small area?—(*Mr. Bonthron.*) It is a small area, sir, but still it has worked uncommonly well; I think it can be shown that it is worked economically; it has worked to the satisfaction, so far as we can gather it, of the ratepayers, and altogether it is desirable to preserve the autonomy of it. My experience is pretty wide, I was a member of the Metropolitan Board of Works for a number of years, I am also a member of the Wandsworth District Board; whether it is from early affection or not, I cannot tell, but I know that in the work of St. James's we have a perfect grasp of everything, and the smallest thing comes up and we all understand it, we say now it is within our ken, shall I use the word, and therefore we can work it economically; there is nothing takes place in the district but we are cognizant of it, and can grasp it, and can deal with it within our own body.

13,342. You think all those advantages would be lost if it were joined, say to St. George's, Hanover Square?—I am afraid, sir, there could not possibly be the same local knowledge.

13,343. Well, St. James's, Piccadilly, as part of the united area, would have its representatives, knowing the character of St. James's?—Yes, but St. James's is very peculiar, inasmuch as it embraces the three great things that go to make up our life. We have residential people in St. James' Square, we have also the leading mercantile firms in Regent Street and Piccadilly, but we have also the necessitous poor, we have a lot of poor who live, and must necessarily live, at the back of Regent Street, otherwise Regent Street could not possibly carry on its business. There must be a number of artizans, workpeople, to do the work that is brought to the various big shops in the street.

13,344. Are not those three characteristics found in St. George's, Hanover Square?—Scarcely to the same extent, sir.

13,345. Well, there is an equal residential element?—Oh, more largely.

13,346. More?—There is the difference—largely.

13,347. Is there not an equal quantity of poor?—In St. George's?

13,348. Yes?—I think not.

13,349. St. George's, Hanover Square, is a big area?—It is a big area, but I do not think there is any part of St. George's that is comparable to Broad Street, Poland Street, and the various places at the back of Regent Street.

13,350. Do you know the Pimlico end of St. George's?—Yes, I know St. George's tolerably well, but I say I speak with diffidence, because I am not so well acquainted with the one as with the other.

13,351. If London were to be parcelled out into areas, having district councils of their own, would it not be an awkward precedent that St. James' should be one of them. There are small areas elsewhere which would claim equal autonomy?—I confess I feel it, sir; it is the only one difficulty I have got in the way of urging it; I feel it, but I question very much if there is an equally small area that is so composed, embracing all kinds of population; I feel very strongly that it is small, no doubt.

13,352. You both desire that additional powers should be given to the district council?—(*Mr. Winnett.*) Yes. (*Mr. Bonthron.*) I feel very strongly, sir, that there should be nothing connected with the administration of municipal life connected with the workhouse except the relief of the poor. We believe that the whole thing should centre in what we term the vestry. I would make it a district council if you like, but we feel, sir, strongly, that all municipal life, excepting poor relief, should be separated from that, so that we might know exactly all about the poor and what the cost of relief is. I have been a guardian for many years, and I feel very strongly that whatever changes we make, we shall always have the poor with us, and therefore the community ought to know entirely and clearly what the admininistration of the poor costs.

13,353. (*Lord Farrer.*) You mean that you would keep the administration of the poor distinct from the other administration?—That is so, my Lord, and draw their money from the vestry.

13,354. (*Mr. Smith.*) Then do you advocate a parochial poor law rather than a union poor law?—We are the union, sir; I am simply myself pointing to the fact. For instance, I consider it to be derogatory to sanitary work. I am chairman of the sanitary committee. I think it wrong that the vaccinations should be connected with the poor law in any way. I also feel that it is wrong that the registrars of births, deaths, and marriages, should be connected with the workhouse.

13,355. What you mean is that you do not want the taint of the workhouse, if I may say so, to extend over the whole of your local administration?—Decidedly.

13,356. (*Chairman.*) Is there any difficulty experienced—as you are a guardian we may ask the question—is there any difficulty experienced in the poor law administration by the fact that you are part of the union of St. George's?—We are not in union with St. George's, sir.

13,357. What are you in union with, then?—St. Anne's. We tried very hard at the time of the equalisation of the poor law; at the time that Hardy's Act was passed, we tried to be put in union with St. George's. Our friends in St. George's thought St. James's was too plebeian, they would not have us.

13,358. (*Lord Farrer.*) Too poor, perhaps?—Well, my Lord, I do not know, but this I do know, the Local Government Board listened to their protest, and St. James' was not put in union with St. George's. I should say at all events within a twelve month, without asking St. George's anything at all about it, they put in this neighbourhood of St. George's, St. Margaret's, and St. John's, and I believe that the Local Government Board felt that they had made a mistake, and that they had better have listened to St. James's. I remember the question very well, for I was chairman at the time.

13,359. (*Chairman.*) Well, in the matter of poor law, you not only recognised there would have been no difficulty, but you desired that you should be in union with St. George's?—Pardon me, that needs qualification; we had no desire at all, we wanted then, as we do now, to be let alone, but the Local Government Board said there must be a union, and casting about for the best union, as we felt it, we suggested one with St. George's, whereas we were put in union

with St. Anne's, and the effect of that was this, that St. Anne's pays somewhere about a trifle over one-fifth, between one-fifth and one-sixth, of the poor rate, whereas she brings fully one-third.

13,360. (*Lord Farrer.*) You suffered by it?—Oh, undoubtedly we suffered; we did not mind that.

13,361. And you would have gained by union with St. George's, I suppose?—Very likely. Oh, yes, because I remember St. George's the first year of the equalization of poor rate spent about 40,000*l.* in the equalization, whereas St. James' spent about 20,000*l.*, therefore I draw from that, we would have gained by union with St. George's, St. George's being so much more populous.

13,362. (*Chairman.*) I see, Mr. Bonthron, you have another suggestion to make about which personally you feel a little diffidence, that the chairman of the district board should be *ex officio* an alderman of the County Council?—I think, sir, that that was one of the greatest mistakes that was made when the London County Council was formed. I do not know that the Metropolitan Board of Works, coming entirely as it did from the vestries—I will not say that that was absolutely the best—but I feel that a terrible mistake was made in not having a representative, a tie from the lowest, on to the London County Council. I think, sir, that there is no doubt that amongst the vestries the business is carried through by a comparative few of the members, but those gentlemen are generally thoroughly trained from the beginning to the end, and with all respect, they are likely to know a very great deal more of the minutiæ of the work than gentlemen simply elected.

13,363. Have you any members of your vestry who are also members of the London County Council?—No, sir, I was their only one.

13,364. (*Lord Farrer.*) You were not a member of the council, were you?—I was not a member of the council, but of the metropolitan board.

13,365. (*Chairman.*) But have you at this moment any member of your vestry who is a member of the London County Council?—No, sir, we have not, we have no connexion with it, we think we ought to have.

13,366. And you think it could be done by a member of the vestry being an alderman of the council?—I think the chairman of the district council, or of the vestry, whatever he may be, ought to have a seat on the London County Council.

13,367. Would not that be a little awkward if it were extended to small areas like St. James'?—There is a large rateable value, and I think at the present moment St. James' ought to have a very potent voice indeed, scarcely commensurate with its size, inasmuch as we are at the present moment likely to be called upon to provide an additional 4*d.* in the £ on our rateable value, notwithstanding the fact that we are at the present moment by far the highest rated of any part of the metropolis, always excepting those little places like Lincoln's Inn, and places like that, but I mean parishes. I have a document here showing that the rates we pay per head of population amount to 5*l.* 19*s.* 1*d.* I do not think that question is quite understood, and, therefore, I say, sir, on this point, that St. James' is entitled to a voice not commensurate with its area but with the sacrifice they make to the body politic, you may call it.

13,368. What Parliamentary constituency are you in?—Strand; we tried hard to get it called St. James' when it was made, but failed; Mr. W. H. Smith was our member.

13,369. You think it better that the chairman of the district board should be an alderman of the County Council than that the representatives of the district in the County Council should be *ex officio* members of the district board?—I think so, sir; as a rule, I take it the common sense of Englishmen would prevail; they are not likely to select as their chairman the least competent; I think the likelihood is that those carrying on our municipal life will select the best man among them, and I think he is entitled not simply to the honour, but as conveying the thoughts and feelings of that vestry into the larger body. I think the appointment of aldermen of the City is far superior in effect, merely looking at London and its government, far superior to the mere fact of appointing the chairman justices of the peace; I would not consider that at all anything like an honour for myself so much as being a County Councilman or vestryman working for the benefit and the health of the public; I would consider that a far higher honour.

13,370. (*Lord Farrer.*) You think there ought to be some tie between the district governing body and the central governing body?—I feel that very strongly, my Lord.

13,371. And you think that that would be best done by making some prominent member of the district board an alderman of the County Council?—I think so; that is my view.

13,372. And you think that would be the best plan of effecting the object. Another plan would be to make the members for the district on the County Council members of the local district governing body?—I think my suggestion would be better in every way, sir, because I think then the electors, the ratepaying body, have elected this member, and I think it only respectful to them to send their elected one and chosen one to the bigger body, than that some member of the bigger body should come on to them. The difference is vast, the two members or one member that may come from the other body may know nothing of St. James', but the elected member of St. James' is a citizen of London, and has some knowledge of metropolitan matters.

13,373. But would not persons who are elected by St. James' to the London County Council probably know something of St. James'?—You mean those elected by the Strand; they would know; as citizens of London they would know something by parity of reasoning.

13,374. No, but as citizens of the district that elected them?—Well, the nearest approach of anyone would be, say, Major Probyn, who is member for our district, the Strand Borough. He is a citizen of St. George's and St. Martin's, he therefore would know something, but he certainly would not know so intimately.

13,375. (*Chairman.*) You people of St. James' joined in electing him?—Oh, we did.

13,376. You have some confidence in him?—Oh, entirely, but I only say that his knowledge is not so intimate; I think the balance is all the other way.

13,377. Mr. Munsey, you have been vestry clerk for four and a half years?—(*Mr. Munsey.*) I have been vestry clerk and assistant clerk for four and a half years; prior to my appointment as vestry clerk I was at Islington.

13,378. And before that you were at Islington?—I had four and a half years at Islington, prior to my appointment as vestry clerk of St. James'.

13,379. Your notion about the organisation of the metropolis is a central body and district councils?—That is so.

13,380. Would you tell us what areas you think should be the areas of the district councils?—I think the areas of the existing parishes under Schedule A. of the Metropolis Local Management Act and the districts under Schedule B of the same Act, should be the areas for the district councils. Recent legislation has tended towards the creation of smaller areas; for instance, Stoke Newington has been divided from the Hackney Board of Works, Plumstead has been divided from the Lee district, and Battersea has been divided from the Wandsworth district, and it seems to me that the tendency is to create smaller areas with fuller powers.

13,381. Well, you call those areas small?—Somewhat, yes.

13,382. As compared with the area with which you are more familiarly connected?—Not small in area,

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but their importance is less than the parish of St. James'; undoubtedly their rateable value is considerably less.

13,383. The area is very much bigger, and the population?—The population would be, say, of Stoke Newington, very little different, I should think. Of course our population is small, because the population is a night population; a very large proportion of our property in St. James' consists of warehouses and offices which are not inhabited at night, therefore the population is rather misleading.

13,384. Newington was one you referred to; the population of Newington appears to be 115,000?—Stoke Newington I mentioned.

13,385. Not St. Mary's, Newington, Stoke Newington; you mentioned Battersea; Battersea has a population of 150,000?—Of course in population there is no comparison between them, I admit.

13,386. Yours is a population of 25,000?—Yes.

13,387. You mentioned Fulham, I think?—Yes.

13,388. Fulham has a population of 90,000?—Yes; what I mean, sir, is that no comparison can be made between St. James' and other parishes on the basis of population. Our population is like the City, a small one at night, but the ground of our claim is that we are an important parish and the commercial centre of the West End of London.

13,389. Well now, if we considered the position of the County Council, that follows the Parliamentary Divisions of the Metropolis?—Yes.

13,390. If you proceeded on those lines, you would be associated with the other parts composing the Strand?—Quite so.

13,391. Do you think that would be an inconvenient area to administer as a district council?—No, I do not think it would be inconvenient in size, because at the present moment there are larger areas than that existing, although, in my opinion, large areas cannot be so well administered, either economically or efficiently, as small areas. That is my own opinion after experience in a large area such as Islington, and a small one such as St. James's.

13,392. Islington is one of the very largest?—One of the very largest.

13,393. Or the largest?—The largest in population.

13,394. You think St. James's is better administered, and more economically administered, than Marylebone?—I do not care to draw comparisons between individual parishes.

13,395. Or St. George's?—Undoubtedly our rates are lower than any parish in London, and we attribute that, not simply to the high rateable value, but also to careful management. That fact must speak to the efficiency of the administration of our local affairs.

13,396. This tendency which you have described to smaller areas is this really, is it not, that the population of certain districts has rapidly grown until they have become divisible into two or more areas, each with a considerable population?—Yes, I take it that is the reason to a very great extent.

13,397. In consequence of the development of population the size has become inconvenient, and so they have been divided?—Yes.

13,398. Does that support the suggestion that you should maintain the separate autonomy of an area like St. James's?—But I say, sir, in my opinion, no comparison can be made on the basis of population, because our population is a fallacious one; it does not represent the amount of work to be done at all in a parish like St. James's. A large number of the people who live in Stoke Newington and Islington, and the surrounding districts, are in St. James's during the day at work, and we have to provide sanitary arrangements and inspection, maintain the streets and public lighting, and so on for those very people.

13,399. And you think all these can be done more economically than if you were associated with the other parishes comprised in the Strand parliamentary constituency?—I do, undoubtedly.

13,400. Now, you hold the opinion that district councils, whatever area they cover, should have further powers then are at present possessed by the vestries?—Yes; I would give to the district councils the duty of vaccination, as suggested by Mr. Bonthron, and also the registration of births and deaths, which at the present moment are performed by the guardians of the poor, and I think the district councils should also have the control of the public baths and washhouses, public libraries, and burials, now administered by commissioners, who are practically independent bodies after their appointment.

13,401. And certain duties performed by overseers?—Then I think that in addition to those duties, the duties of assessing rates, the collection of rates, the registration of voters, and the preparation of jury lists should, in my opinion, also be discharged by the district councils, and that overseers should cease to be appointed.

13,402. Your relations between the County Council and your area; what has been their character?—So far as I am aware, sir, they have been entirely satisfactory. (*Mr. Bonthron.*) Very. (*Mr. Winnett.*) Mr. Bonthron could possibly speak to that. (*Mr. Bonthron.*) My friend Mr. Munsey has only recently been appointed vestry clerk, and he has not had the experience I have had. Our relations have been very amicable indeed.

13,403. Do you wish to have any alteration made in the relative powers of the two?—(*Mr. Bonthron.*) Well, I have always felt, you know—perhaps from connexion I speak feelingly; I was a member of the Metropolitan Board of Works when it was knocked on the head—but I always felt that they were turned upside down. I have always felt that the district councils ought to have been appointed, and the whole of their work carefully arranged, and then a central body ought to have been established which would have welded them all in one. I am afraid the day has gone past for some of the powers. The larger body has got them, and it is very difficult to get them away. But my opinion has always been that the district councils ought to have come first, and then the welding process, and not the general council first.

13,404. Have you any opinion as to the negotiation of loans, or the proceedings antecedent to the raising of loans by local bodies?—Well, sir, we owe somewhere about 1,000*l.* to the commissioners at the moment. (*Mr. Winnett.*) That is 2,000*l.* lent for a new bath. (*Mr. Bonthron.*) That is all we have for a new bath. We owe no money. We have always endeavoured, as far as possible, to steer clear of debt. We have always been clear; if we could have repaid it in three years we would not have had the loan. We have had no difficulty about that; what we wanted we have got quite easily.

13,405. You have not felt any grievance in going to the County Council for sanction to the loan?—We had not any. I cannot help thinking that they, being the elected of London—they have faults, but still they are the elected of London, and they have got the control of the London finance—in my heart I cannot see that there is any objection to it.

13,406. They used to exercise that power when you were on the Metropolitan Board of Works?—They did.

13,407. And you did it without inconvenience, you think?—Without any inconvenience at all, so far as I was aware of—without any inconvenience. In my mind I felt no sort of partiality for one district more than for any other. We felt that we were one body harmoniously balanced; there was no difficulty about it. (*Mr. Munsey.*) There are one or two points, sir, in which I think some improvement could be made. On the question of loans, for instance, I do not think the London County Council, which is the great lending body of London, should be the authority to sanction loans.

13,408. You differ a little from Mr. Bonthron in that respect?—I do.

13,409. (*Mr. Smith.*) It is not necessarily the lending authority; you can go elsewhere if you can get it cheaper?—Quite so, sir.

13,410. You go there because you get it in the best market.

13,411. (*Chairman.*) Why do you object to their being the authority to sanction?—I do not think the same body that lends money should be the body that sanctions.

13,412. But Mr. Smith has pointed out to you that that need not be so, because you can borrow elsewhere?—That is true.

13,413. Have you any other objection their to being the sanctioning body?—No, sir, I think not.

13,414. When you were at Islington did you borrow much under their sanction?—Yes, considerably.

13,415. Did you find any difficulty then?—Yes, I have had experience of one or two very serious difficulties, not so much as regards the sanctioning of the loan as the sanctioning of the improvement. For instance, one case strikes me very forcibly. The vestry there had arranged to carry out an improvement involving a street widening and the demolition of an objectionable area at a cost of something like 3,000*l.* The owner of the property, or the greater part of the property, had made arrangements for the acquisition of the whole of the site necessary for 3,000*l.*, and undertook to carry out the improvement for that sum. The vestry made application, as required by the Metropolis Local Management Act, to the County Council for sanction to this improvement, but the valuer of the Council advised that the amount proposed to be paid by the vestry—3,000*l.*—was excessive, and the result was that the County Council declined to sanction the improvement. Now at the present moment the Council are anxious to carry it out, and have been in communication with the vestry subsequently, at a cost of something like 6,000*l.* or 7,000*l.* The result will be that now they will have to pay 3,000*l.* or 4,000*l.* more than they would have done three or four years ago. I think that local authorities should themselves have the power to say whether local improvements are necessary or not; they alone have the local knowledge of the value of the property, and can best see what is needed.

13,416. Should they alone determine for what period a loan should be made?—No, I do not say that, sir. I think a sanction should be given by somebody, but whether an improvement is necessary, and the proper price to pay for it, I think the local authority should be the authority to determine, and the London County Council should have no voice in it. Of course, I refer simply to local improvements.

13,417. I see you give me a considerable list of historical persons who have been living in St. James's?—Well, sir, I think on historical grounds alone the autonomy of St. James's should be preserved.

13,418. They would not have ceased to have lived in St. James's even if St. James's became part of the Strand district?—I do not know, sir; it is possible.

13,419. Perhaps you may sum up your reasons for desiring the autonomy of St. James's to be preserved?—Well, sir, independently of the historical reasons which I will not trouble you with, I think that on the following grounds the parish should be kept separate from either the Strand district or St. George's, Hanover Square. In the first place, there is no need of amending legislation as far as we are concerned; our affairs are at the present moment discharged and carried out in an efficient and economical manner; the parishioners take a very active and, I may say, intelligent interest in the affairs, and it is feared that any alteration in our area would be attended by increased expense, if not with less efficiency. Various branches of administration in the parish have been adopted and the various modes of carrying out the present laws have been adapted satisfactorily to meet the peculiar circumstances of the locality. St. James's is a parish which contains every description of property. We have nearly all the important clubs in London in the parish; we have a large number of shops; we take in Regent Street, part of Piccadilly, part of Oxford Street, and then in addition, as our chairman, Mr. Bonthron, has pointed out, we have a large number of houses occupied by poor people, adjoining Soho, between Regent Street and Wardour Street. The parish, therefore, contains a description of property which I do not think exists in any other parish in London, certainly in none of the outside districts. Then, again, the parish is the most important one in the district of the Strand, the Strand borough. That fact is recognised by the public statutes being placed in my custody for the use of the borough.

13,420. I suppose the consequence of that would be, that if you were united to the others you would be the predominant partner?—Possibly, sir. Then again, the rateable value of the parish, which I may say is 754,399*l.*, is greater than that of Bermondsey, Bethnal Green, Chelsea, Clerkenwell, Fulham, Hammersmith, Hampstead, Mile End, Newington, Plumstead, Rotherhithe, St. George's-in-the-East, St. George the Martyr, St Luke's, St. Martin's-in-the-Fields, Shoreditch, Stoke Newington, Woolwich, and of any of the parishes mentioned in the districts comprised under Schedule B. of the Metropolis Local Management Act. I think a parish with a rateable value such as that is entitled to be retained as a separate district council, certainly if any of the parishes I have enumerated are kept distinct. (*Mr. Winnett.*) I should like to supplement that, sir, by saying that I think the condition of the parish of St. James's is largely to be attributed to the fact that there is not more work in any department than one brain can manage. If, like Wandsworth, or large outlying parishes, a man is placed at the head of a committee with perhaps 100 miles of road, or 200 miles of footway, and that kind of thing, that is much too much for any chairman of any committee of the department. Now, in our parish, I say, having been connected with all the committees in the parish, it is within the grasp of one man. Our best men are business men, not those who have no occupation, but business men, and they bring that peculiar quality to the work, but if you give them a large area it would be too large for them; and I attribute very much of our success, economically, sanitarily, or otherwise, to the fact that our district can be grasped, and a man at the head of a committee can do the work without very much strain, and here we are without one farthing of debt comparatively at the end of our 200 years of existence. I think it is a position that no other parish in London can show, and I attribute it entirely to that, to the smallness of its area; that it is within the power of an ordinary man, a good business man, to take on and effectually look after.

13,421. You compare your area with that of Wandsworth; that is jumping from the very smallest to the very biggest?—I do that, sir, as a comparison, and I think that is a very large thing for a man to take on, the management even of a committee that has to look after even the roads of the parish and pathways; it is an immense work. (*Mr. Bonthron.*) I might supplement that, sir, if you will allow me, by my own experience. I am a member of the works committee, or committee of works, of Putney. There are seven of us, and we have a profound interest and a perfect grasp of our work. There is not a single thing that takes place in the district of Putney but what we are cognisant of it. We have had it and know all about it.

13,422. What is the acreage?—Oh, it is a large acreage; there are many miles of roads; it reaches to Richmond Park and takes in Roehampton.

13,423. Does not that show that you would be able to take care of a bigger area than St. James's, Westminster?—One moment; I say, sitting as we do, the seven of us, in the works committee, we seem to know all about Putney. We are summoned once a fortnight to the board of works of Wandsworth. What do we do?—I know nothing of the committee

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of works of Streatham, Tooting, or Clapham. I do not know anything about it.

13,424. (*Mr. Smith.*) You have some officers who do, I suppose?—I am not for a moment thinking that they have not the same interest or the same knowledge, but I am only saying, with the largeness of the area—the beauty of it lies in that the large district is divided into bits, and while in Putney we may be foolish, I do not know about that, we know all about it.

13,425. Have you any experience of the work of the great provincial corporations?—No, sir, I have not.

13,426. Have you, sir?—(*Mr. Winnett.*) No.

13,427. Because your argument does go to this, that it would be better—I do not say it is practicable to do it, but it would be better—if London were all cut up into areas of somewhere about the size of St. James's?—(*Mr. Bonthron.*) No, sir. I should not cut Wandsworth into pieces, because it is very largely not built upon. I should not cut parishes like Wandsworth into pieces of 164 acres each, as it is impossible to have a uniform area. That would not be what I propose, but St. James's——

13,427*a*. But the thickly populated portions?—Then, sir, in that case it would be advisable to do so.

13,428. (*Chairman.*) Would you cut St. George's, Hanover Square, into about six districts?—(*Mr. Winnett.*) No, sir, I think it is very well administered as it is.

13,429. But if you adduce St. James's as the pattern model you would have to cut St. George's, Hanover Square, into about six districts?—If that was the only consideration you would, sir. But here is a Board—we have not got too many to consult—and I say that in St. George's, Hanover Square, with 120 members, there is more divergence of opinion and difficulty in working that vestry than ours, which numbers about 50. Numbers do not add to facility of working.

13,430. A multitude of councillors does not always lead to wisdom?—(*Mr. Bonthron.*) I know Edinburgh pretty well. I have lived in Glasgow. I know these towns pretty well, and the pretty large provincial town of Kirkcaldy, and I know about the workings there, so that I am perfectly well aware of the management of these big towns and cities, but I ask for the autonomy of St. James apologetically. I admit that it is small, but it really has a justification of its own; it must not be taken as an example of the rest.

13,431. (*Mr. Smith.*) I would like to ask you one question. I admire the way in which you have kept out of debt, but what have you done in the way of improvements?—(*Mr. Winnett.*) There is no other improvement to make in St. James's.

13,432. You are perfect?—(*Mr. Bonthron.*) Oh no, we are not perfect by any means.

13,433. What institutions have you?—(*Mr. Winnett.*) We have baths and washhouses, which we erected 40 years ago.

13,434. How did you do that, out of loans?—Yes.

13,435. What did you do with your vestry hall?—Built that, sir.

13,436. With a loan?—With a loan, and paid it off. (*Mr. Bonthron.*) That was before the days of getting it at 2¾ per cent.

13,437. Have you any libraries?—(*Mr. Winnett.*) We have lavatories and conveniences.

13,438. (*Lord Farrer.*) Have you made any extensive public improvements?—We have adopted asphalte. We cleared many of the roads from stones—nearly all our roads from the stones, substituting asphalte and wood—in the parish at very great cost, but we have paid it all off.

13,439. Have you had to clear many unsanitary areas?—No, sir, not to any extent.

13,440. You have not made many new streets, indeed?—Oh no; Shaftesbury Avenue.

13,441. (*Chairman.*) You did not make it?—No.

13,442. (*Mr. Smith.*) And Regent Street would be within your area, which was made by the Government?—(*Mr. Bonthron.*) That was done a long time ago. It was done 70 years ago, quite.

13,443. I need hardly ask you, I suppose, any public improvement involving making new streets would be enormously costly in your district?—That would be so, sir. I ought to say at our last Sanitary Committee meeting a member brought up a report—we have a small area in the district, it must be admitted, that is there in violation of all sanitary rules, I mean main rules laid down for guidance, and it has been a standing eye-sore to us. It is on the eastern boundary of the parish; it is close by St. Anne's, it is called Downes Place; but the difficulty of action is simply this: We have twice put it into the medical officers' hands, one a doctor not our own, and he gave us a report, and our own doctor brought up a report on Tuesday morning. The difficulty of action is this, that there has not been for five years a single case of infectious fever in this area; he cannot go to a magistrate. (*Mr. Winnett.*) It is the healthiest place in the parish.

13,444. You know that under the Housing of the Working Classes Act it is no longer necessary to show previous illness?—(*Mr. Bonthron.*) We know that.

13,445. Has he made a report under that Act?—(*Mr. Munsey.*) No, sir, he has not. (*Mr. Bonthron.*) No, we know it, but there is a great deal of difficulty. As you have just remarked, the expense of buying it up is enormous, and the difficulty of further connecting it up or down.

13,446. But you could not plead before the Local Government Board, you could not say in the words of the Act, that you were not satisfied with the sufficiency of your resources, because those are the terms of the Act, you know?—We could do this, take up that row of cottages as an area; what we would have to do would be to take away a number of streets, and the difficulty would be the re-forming of them.

13,447. (*Chairman.*) And you would want the co-operation of your neighbours?—We should; in fact, we would have to clear the eastern part of the parish to get an opening down Coventry Street on the one hand, and Oxford Street on the other; we would have to clear the whole thing. Then, with all respect, until one is forced by real necessity, we have always felt that it would be unfair to almost obliterate the whole parish at the back of Regent Street, because it would upset the whole lot.

13,448. You would abolish all those historical reminiscences?—Yes.

The witnesses withdrew.

Mr. E. C. Keevil.

Mr. Edward Colston Keevil, a freeman of the City of London, and a member of the Vestry of St. James, Westminster, called in and examined.

13,449. (*Chairman.*) You are an inhabitant of the parish of St. James', Westminster?—Yes.

13,450. Have you anything to tell us about the government of the parish as it exists?—Yes, I have been a vestryman of that parish nine years, and resided there 12 years. I am assessed at 550*l*. a year, and I have been guardian of the poor of the Westminster Union.

13,451. Are you a vestryman now?—Yes, I am a vestryman now, and I have taken considerable interest in parochial affairs. I have also been a vestryman of the parish of Paddington where my private house is situated.

13,452. Have you any view as to the expediency of uniting, for the purposes of local government, the parish of St. James' to any of the adjacent parishes?—Well, sir, I support, and most strongly urge that it would be advisable to group the parish of St. James' with one or other of the neighbouring parishes. I also submit that in my view, knowing as I do the whole of

the Strand division, the borough of the Strand should be grouped for all parochial purposes.

13,453. You would make the parliamentary borough of the Strand, the area of a district council?—I strongly urge that, sir, having a good stake in the parish, and knowing the district fairly well.

13,454. Well, will you tell us how you think the administration of St. James' would be benefited by that union?—Well, I think the administration from a commercial point of view would be benefited because the chief ratepayers of the parish are non-resident, therefore the administration has fallen into the hands of what I venture to say here, and what I know from absolute knowledge, unworthy hands.

13,455. You are using very strong language?—Yes, and I might use even stronger, positive facts. I know London, and I do not think there is a more inefficient vestry in London.

14,456. You think the matter could be more economically administered if they were united?—I think it would be more efficiently administered, and by a better class of men and fewer. It is not necessary to have such a large number of what we call vestrymen. I am an independent man, and I am able to speak my mind, otherwise I should have been very different. If I had been a trader or anything of that kind, of course I could not have afforded to take the line I have. The vestry is dominated by lodging-house keepers. There are a few first class men upon it, but they attend very intermittently—drop in occasionally—and their names are put down as a kind of figure-head to make believe. The Earl of Wemyss, for instance, he is a member; he attended, I think, last year twice—just dropped in. Mr. Wimperis, the architect, is a respectable man. Major Cresswell, he has been 30 years a volunteer; he is disgusted, like myself, and we come to you, sir, for protection. That is what I have adduced; others could come here and tell you the same story.

13,457. Will the alteration made by the last Act of Parliament much alter your vestry?—The last Act.

13,458. Yes?—Which do you call the last Act.

13,459. The Act which passed in the beginning of this year, in the last session?—The District Councils Act you mean.

13,460. It is called the Local Government Act, I believe?—Yes; that has not affected us yet, but we hope it will, if you will group us with other districts. We are united, as you know, to St. Anne's for poor law purposes, and I say it would benefit the parish of St. James' and benefit the neighbouring parish of St. Martin's and St. Anne's if we were all grouped; it would prevent the cliqueism, and you would get a more intelligent class of men to come forward if they found that when they came forward they were not dominated by the old ring.

13,461. In a larger area you would get persons not so much locally and personally influenced?—Precisely, Mr. Chairman, and I really beg of your authority. I am not unknown, not only here but in the district of St. James', but also in the City I have an interest, and this is an opportunity that I have sought, and I could have brought up better men than myself for the same lines as these, but they did not want to leave their affairs to come here without being invited. There never was a parish more shamefully handled than that of St. James', I do not know whether you are a ratepayer of that parish yourself.

13,462. You rather indulge in superlatives, I gather?—Well, I come because I have been on the spot, and being a large ratepayer,—being in the ring, as it were, having the knowledge which rarely comes to men,—I say that my remarks are quite justified, and my reason for coming here is to appeal on behalf of my neighbours, who know as well as myself the state of affairs; but they have not the time, the courage, to do what I have done.

13,463. Have you anything to say about the County Council?—What I have to say of the County Council is, that it could not be better, for London as a whole. I was very nearly elected to the London County Council on the first occasion, with a minimum expense; I was just out of it. But I say it is the right thing in the right place.

13,464. The one could not be better and the other could not be worse?—Well, we are told, and we are taught to believe, that the Council has made a few mistakes by being too earnest, but I think they are doing splendid service.

13,465. You do not know of any power at present exercised by the County Council which should be transferred to a district council?—No.

13,466. Or any power exercised by a local body which should be transferred to the County Council?—The assessments—that is, if you unwisely leave the districts as they now are under the vestries—then transfer the assessments to the County Council, or some such authority; for the scandals connected with the assessments are notorious, and the ignorance—besides the personal results. Now, for instance, three or four men—lodging-house keepers, whose training has been that of gentlemen's servants, valets—undertake to value premises that have been rebuilt, such as we will say, the banks, clubs, music halls; they have no knowledge.

13,467. (*Mr. Smith.*) Have they no officers?—No, they have no knowledge of commerce, or of any profession; they are guided, and I know it for a positive fact, that if a hotel or tavern is erected, why I know what takes place. I am not speaking to you, gentlemen, as a man either disappointed or from want of means. I take it on high public grounds. That paper I see you have there, sir ——

13,468. (*Chairman.*) When was this printed?—That was printed four or five years ago; it is dated, is it not?

13,469. No, it has reference to assessments of 1890–91?—It was the last quinquennial.

13,470. 1890–91; but there is no date to it?—It was the last quinquennial.

13,471. It is signed by yourself as chairman of a ratepayers' committee?—Yes, we formed a party of a dozen or so ratepayers, who felt themselves aggrieved with what was done, and these were thorough investigations, and that was circulated at the expense of the committee to show up the system.

13,472. Does it still exist, that committee?—Well, no, but I can call them together at any time.

13,473. You know all the members thereof?—Yes; they are all well to-do tradesmen in the street and neighbourhood of the parish.

13,474. Were any appeals made against these assessments?—Appeals, no; because it was an accomplished fact.

13,475. What do you mean by that?—Why, those assessments had already been decided upon at the quinquennial, and it was useless making an appeal. I made an appeal myself last year on my assessments.

13,476. With what result?—The result was this: the vestry raised mine from 500*l.* to 750*l.*; that was between the quinquennials. I appealed to the guardians, and instead of raising me 250*l.* they raised me 50*l.*

13,477. To 550*l.*?—To 550*l.* That was done because my premises—it was strictly personal, I knew why it was done—because I showed the vestry up; I and a small party showed up the jobbery on the Baths Commission, and to punish the ringleader of the opposition, myself, they raised my assessment. There is no doubt about it, I think I have put it very plainly before the ratepayers, in a recent circular that I issued.

13,478. You are a freeman of the City also, I see?—Yes.

13,479. Have you any knowledge of the government of the City?—Well, of course, being a member of a City Company, and so on, you can go to the Guildhall; and as a resident in the City for 30 years, I know a thing or two about the City. I say it would be a great advantage to the metropolis if the ancient City's boundaries were enlarged to the

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metropolitan area. I have always recommended that; it would glorify the City; it would increase the position of the City of London; in fact, it is common sense. I think, the Government feel that. We must all respect the ancient City and the Corporation, but it must be extended. Why should there be no citizens outside; in Paddington, or Kensington, or Westminster, citizens really? Why should it be confined to us in the City alone from patrimony or purchase? I believe I have the honour of speaking to two gentlemen from the North of England, and I also have interest in an important borough in the North of England, in Yorkshire; and I think I might state that it is a common sense view that a City like London should be extended throughout the whole of the district. There is no party feeling in that; none whatever, it is common sense.

13,480. And how do you propose to deal with the government of the limited area which is now the City?—Well, sir, there have been so many projects discussed, I have talked over the matter with the late Mr. James Beal, whom you may remember by name, and Mr. Firth. I was not altogether in common with those two gentlemen in my views, although I naturally respected theirs, and Mr. Beal, being older, I was very much led by him; but I had travelled more than those two gentlemen, and I ventured to suggest that there should be different districts, similar to the Parisian plan with the centre at the Hotel de Ville, at the Guildhall in London. There should be the headquarters, not of the London County Council at Spring Gardens, not there—but the historic position of the Guildhall of London, that should be the grand centre of the municipality of London.

13,481. Is that big enough?—Certainly not, now, but there is plenty of space down Basinghall Street, and Coleman Street to build proper offices—the present place is not big enough for the City organisation, and the City is only really one parish in extent. I think my parish of Paddington is larger than the whole of the City; and Marylebone I know is. St. George's, Hanover Square is another, as you know. This is my view; a matured view of years, that I should retain the historic associations of the City, extend its boundaries—which has been done, I think, twice before.

13,482. Well, you do not tell us, or give me any answer to my question. What would you do with the government of the limited area which is now the City? How will you arrange the government of the present City?—Well, I should arrange it on the same basis with a Lord Mayor, Aldermen, and Common Councillors. I see no necessity to have so many as —I think it is 232 Councillors. That is certainly too much for a small area like the City; for a number of small parishes it is unnecessary; is that what you refer to.

13,483. Do you contemplate a lord mayor of the whole of London, and a lord mayor of the City too?—No, one.

13,484. One man to serve both?—One man to serve the office and take the office of lord mayor of the larger area.

13,485. Would that lord mayor and his body administer the smaller area of the City?—No; there would be a lower chamber, I take it, of the Common Councillors. But let me just suggest, sir, that the whole of the Strand borough in my opinion should be grouped for one administrative purposes. St. Martin's has already a useful town hall—spacious and so forth—as a centre. It is the richest, I think, and the most populous of the whole.

13,486. We are quite possessed of that idea?—Yes.

The witness withdrew.

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Mr. W. H. Dickinson, Deputy Chairman of the London County Council, recalled and further examined.

13,487. (*Mr. Dickinson.*) In the first place, I think I should say, that I am not only the deputy chairman of the London County Council, but I am also a member of the Wandsworth District Board of Works. I have also been a member of the Wandsworth Vestry, and still am a member of the Streatham Vestry. I have taken a great interest in London local government ever since I have been in London, and some years ago I was the honorary secretary of a society called the Wandsworth District Local Government Association, which we formed for the very purpose of improving local government in our part of London. Its objects were to get a higher class of men to serve on the body, and to induce a little more interest in the elections than had been generally shown; and I think it had a very beneficial effect; in fact, other similar associations are started in other parts of London. I only mention that to show that I have a certain amount of knowledge of London local government.

13,488. (*Lord Farrer.*) You look at it from the local point of view as well as from the London County Council point of view?—I look at it rather more from the local point of view. I may say, with respect to reforming London local government, in my opinion, we must have a strong central body, as strong and attractive as possible; and yet, at the same time, we must have local bodies in London which should have all possible powers which can be entrusted to them without disadvantage. One of the chief difficulties in local government is the fact that we cannot get men of intelligence and education to act on these local bodies; and, therefore, I realise that it is important that these local bodies should have the fullest duties which you can place upon them. Approaching the question from that point of view, one is still met by two facts with regard to London government. In the first place, if you have local bodies in London, they cannot possibly be—to use the word that was used a good deal yesterday—municipalities. They cannot possibly be municipalities on the same lines as Birmingham and Liverpool, and any other provincial municipalities; and that appears to me to arise from two reasons. In the first place, if you have a central body, that central body must have all the functions which really make local government attractive in the provincial municipalities. The questions of water, gas, main drainage, and all those larger questions which we concern ourselves with on the County Council, cannot possibly be placed in the hands of a district authority; therefore, you at once begin with a class of work that will not attract to the same extent as it does in the provincial municipalities. And in the second place, we have to bear this in mind, that London is, as regards residents, divided up into certain classes of inhabitants. There is no portion of London which represents a town, because a town has inhabitants of all classes, rich and poor, educated and uneducated; but if you divide London up into districts, you will find one district practically restricted to well-to-do classes, whilst in another you will have very few of the well-to-do classes; therefore, you have not the same choice of men for all local boards, and it is for that reason I think that we have so much diversity in the administration of the various vestries; and these two facts, to my mind, affect the whole question of London government, and drive us to this: that, however anxious one is to get the local bodies as fully empowered as possible, they must always be inferior to first-rate municipalities. Now, in order to carry out the idea, with which I fully sympathise, of giving to local bodies increased powers, it has been suggested that certain powers might be transferred from the Council to the local bodies. I have gone very carefully into the question of these powers; and I think the Commission would probably like to know the views of those who administer these duties as to whether such transfer is advisable, and

if not, why it is not advisable. As regards our administrative work—the administrative work noticed at page 2 of the statement which I prepared for the Commission upon the work of the Council,—there would, practically, be very little that could be transferred. Main drainage, bridges, embankments—the only suggestion on that has been, that the prevention of floods might be given up. I think it was suggested from Chelsea; but it almost stands to reason that preventing the Thames from overflowing its banks is a purpose which interests the whole of London, and which London undoubtedly should pay for entirely. Moreover, I do not think that the work that is done by us, who have the oversight of the whole river, could be so well done by the few vestries on small portions of the river front. The prevention of floods in the Thames would be better done by a central than a local body.

13,489. Has any other body besides Chelsea suggusted this?—I have not noticed any. Then the Fire Brigade must be central; the large improvements must be in the hands of a central body; the large parks, it has been admitted, must be in the hands of a central body. There has been some suggestion about small gardens. I believe that the Council would be only too willing that all the small spaces should be taken over by the local authorities; but the difficulty is to get them to take them over; and the reason why the Council has had to take over the small spaces was that no one else would do it, and we were face to face four years ago with a large number of small spaces that would have been closed had we not taken them over. We have only taken them over temporarily. Some day the vestries will take them over. If there is to be legislation which would give small open spaces to the vestries, it should be accompanied by some proviso which would enable the Council to compel the local bodies to undertake the maintenance of them. Then lunatic asylums and industrial and reformatory schools. I do not think the gentleman who suggested that they might be given to the local body knew really the working of it. We have only two schools; and these take the boys from all over London. Then the artizans' dwellings—the clearing of large insanitary areas can only be dealt with by the metropolitan authority—the small ones are dealt with at present by the local authorities. Then, coroners. Of course the Council must appoint the coroners for the whole of London. The areas do not coincide with the local areas. And some gentleman mentioned that the local bodies ought to make coroners' courts. So they ought. It is their duty now by statute; and those who have done their duty have established them; and others have not. Then there is some objection to our having jurisdiction under the Small Holdings Act. We have only had this power during the last two years, and we have already put it into operation. I doubt very much whether any local authority in London would have put it in operation. The Council's allotments are in the east of London, the poorest districts, and there they have the greatest possible objection to going to any expense. The tramways must be under a central body of course.

13,490. With regard to the question of small holdings, or allotments, I think the proposal has been that they should in all cases pay their own way?—Oh, they do at present. We have not incurred any expense There was the risk, of course.

13,491. There was a risk—yes?—Then, any question of water supply must be left to the central body; and that concludes the administrative work of the Council.

13,492. The water supply. You do not refer there to what was mentioned this morning of investigating the condition of the water in each district?—No. I think myself if both central and local bodies had further powers with regard to the quality of the water supply of the companies, it would be a good thing. We both of us are very poor with respect to those powers.

13,493. The question of water supply?—If it is supplied by the municipality, I think it must undoubtedly be supplied by the one cental body. More serious questions have arisen under what I have called "head B.," the work of a supervisory nature. And on this matter, it seems to me, there is one principle which we must bear in mind with regard to London reform, and that is, that all questions relating to licensing, or giving permission to people to do anything which otherwise they are not entitled to do, should—in order to obtain justice and to get away from personal interest—be in the hands of whatever body is strongest, and most dissociated from the individuals who are applying for this permission. That I shall have to refer to in a minute with regard to the Building Acts.

13,494. (*Chairman.*) If you carry that to an unlimited extent, you would invoke the Imperial Government?—Certainly in London one cannot help recognising that where property is concerned, especially with regard to buildings, it is very much easier to get something you want done for your own personal benefit through a small local body than it is through a large body like the County Council which consists necessarily of a large number of men who must be independent, since they know nothing of the individual who is seeking for exemption.

13,495. (*Lord Farrer.*) Is that always so? I have a recollection of a case where the Marylebone Vestry were extremely resolute about not allowing an encroachment upon the gardens of the Marylebone Road, and where the Metropolitan Board of Works, in spite of the vestry, allowed the thing to he done?—Well, I will not defend the Metropolitan Board of Works under any circumstances.

13,496. Still, I know that case; I was concerned in it for the vestry?—It is quite possible. I can understand it in a body like the Marylebone Vestry, which has always been a high-class vestry—I quite understand their being superior to that sort of thing. But in these questions we have to look at London as a whole; and although Kensington may come and represent itself as being perfect in many respects, there are other parts of London that we have to consider. I go on to these items which have been brought before you, for instance, the licensing of slaughter-houses. Well, the licensing of slaughter-houses is a matter in which I do think you have to look at London very much as a whole. Our tendency in the licensing of slaughter houses has been to get rid of them as far as possible in the congested districts, and to keep them outside. They have been reduced considerably since the County Council have had to do with the licensing of them, and in my view this is advisable for the purpose of health. Although it is a minor matter, you really get better administration in the licensing of slaughter-houses by a central body, responsible for the welfare of the whole of London, than you would by one local body treating the question by itself.

13,497. (*Chairman.*) It is a question of cumbrousness, of course, it is to be remembered; it may be too cumbrous a machinery to be brought into play in different areas?—Well, I think so, too. There is no doubt about that. Of course, the licensing of the slaughter-houses is very much departmental work. It happens once or twice a year; but it comes up very much on the reports of officers as to the way in which the byelaws have been observed. We make the byelaws; and if it is to go to local bodies at all, if it is any advantage that they should have anything to do with this licensing, then it certainly ought to be done by a uniform system of very strict byelaws made by the Council; and then I think the local authorities could administer those byelaws. I think that would be a possibility.

13,498. Let us have your mature opinion upon that point. Would it be better to have it all done by the central authority, or for the central authority to lay down principles or strict byelaws, and then leave the work to be done locally?—I think that with regard

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to the slaughter-houses it would be better done, as it is, by the central authority.

13,499. (*Mr. Smith.*) Would your opinion be the same if the local authorities that you have described in London were all more or less assimilated to the larger vestries?—I think so. I have approached this matter very much from the point of view of administration. I think so, as a matter of ordinary administration. The view taken by the Council has been that we ought to get rid as much as possible of slaughter-houses from some particular districts where they are unhealthy.

13,500. Only the difficulty is, you put it on health grounds, and the sanitary authority is the local authority?—Yes, but you see the sanitary authority cannot be expected to look at a question like this but as it affects its own area; it will think that in its own area there is not more than an individual slaughter-house; but it may forget that in the next area there is an enormous number of slaughter-houses, and that it might be wise if looked at as a whole that some slaughter-houses should be done away with.

13,501. (*Lord Farrer.*) So the tendency is to do away with private slaughter-houses altogether, and to have public slaughter-houses by and by?—That is not the settled policy at the present moment; but certainly it is the tendency of the minds of the members of the council who have been administering the work. There never have yet been proposals about establishing slaughter-houses, but I should be inclined to think it very likely would come to that.

13,502. (*Mr. Smith.*) It is the policy which has been followed in our large towns, private slaughter-houses being regarded as encouraging the sale of bad meat?—It is so. We shall very likely come to that. We have to deal with a large number of private slaughter-houses. We cannot take the thing too sharply.

13,503. (*Lord Farrer.*) Then, do you think that getting it into the hands of the central authority would be a step in the direction of public slaughter-houses, more than leaving the thing in the hands of the local body?—I think if public slaughter houses were established, you would be almost bound to have them for the whole of London; then you would not get them for the whole of London if each of the thirty or forty districts were considering the question.

13,504. (*Mr. Smith.*) Supposing you did establish public slaughter-houses, is there any danger of these people establishing claims to compensation if it were left in the hands of the local authorities?—I do not suppose they would have a right.

13,505. Well, I was just thinking, a licensed slaughter-house has no claim; what is called a registered house is a vested interest, and a sort of privilege you have to pay for?—Well, then, with regard to cow-houses and dairies, the same sort of consideration applies, but not so strongly. The Council might very well give up its registration of dairies if it were necessary. But at the same time there is no doubt we have a certain advantage from the fact that dairies have to be registered by us, because we have a great deal to do with the sale of milk. Our medical office of health, of course, is always concerned in the matter of disease that comes through milk. That really is one of the minor questions that might be ultimately given away if it is deemed necessary.

13,506. You might have sufficient control over that without actually administering it?—I think so, yes; and the cow-houses, too, to some extent; the cow-houses might very well be administered by local authorities, provided always that they are administered uniformly under a uniform system of byelaws. We have made the byelaws. I will refer to them directly and show you our byelaws. Well, then, I come to the question of the licensing of explosives. That is a power that some of the vestries seem to wish to get into their own hands; but as a matter of ordinary administration I do not think that is practicable. The Council carries out the administration of the Explosives Acts by five inspectors, over the whole of London.

13,507. (*Lord Farrer.*) Including the City?—Not including the City. All this is exclusive of the City.

13,508. All this is?—Yes. What the City do I do not know. I should like to know what they do under the Explosives Acts. We are always under the impression that they do nothing. I can only say that we carry out the administration of the Explosives Acts by the means of five inspectors; so that, to begin with, if each local authority did the work they would have a larger number of inspectors than are necessary for the work. As a matter of fact it is work which I think ought to be carried out by the central authority. In the first place it is very technical. The inspectors have to be really skilled in the knowledge of explosives, and of their nature. There are only 12 factories in London where explosives are made; but there are about 3,000 retail salesmen. Well, the whole object of our department is to know what is going on in London with regard to explosives, especially with regard to transit. We have intimation sent to us of every consignment of explosives that goes to or from London. An officer of ours attends at the transhipment of it, sees that it is properly put into carts or waggons so as to avoid danger to the public, telegraphs to the inspector who has to do with the other portion of London where it has to be delivered, and he attends where it has to be delivered; and that work is practically the principal work we do, regulating the transmission of explosives through London. Well, practically, I do not see how that possibly could be given into the hands of local authorities. They would have to work by some central system, and meet occasionally, as our inspectors at the present moment have to meet at Spring Gardens to discuss matters and draft orders for the whole of London. Then, with regard to petroleum again—that is very similar matter; these same inspectors do the work with regard to petroleum. There are 2,000 sellers of petroleum, and there are 500 people who have licenses for keeping petroleum, for use in in manufactures. This is also a technical matter, and the experience gained all over London is useful for our officers, they have to go wherever a person wants a license, and see that arrangements are made whereby the petroleum is properly and safely kept. It was by reason of the petroleum being improperly stored that that terrible accident happened in the hat factory in the City. I do not think that this could be made a local matter; because you really want men with the requisite technical knowledge about explosives and petroleum, and with experience gained over the whole Metropolis.

13,509. Are the inspectors the same?—Yes. The same inspectors who do the explosives do the petroleum. The same sort of consideration applies to offensive businesses again. A considerable amount of technical knowledge is required, which arises from getting to know of the offensive businesses existing in London. There again you find so few offensive businesses existing in each locality, that the local bodies would be bound to make use of their sanitary inspector for the purpose, who probably would really not be able to give the same critical examination that one of the five inspectors, employed over the whole of London is able to give.

13,510. (*Chairman.*) Do the same five men attend?—No, no, the same five men do not attend the offensive businesses—that is a different department—offensive businesses are under the Public Health Department.

13,511. (*Mr. Smith.*) They are defined as offensive businesses under the Public Health Act?—Yes; and any new business has to be licensed.

13,512. (*Lord Farrer.*) I was going to ask the same question. But there are special businesses specially defined?—Yes.

13,513. (*Mr. Smith.*) Bone-boiling—about five of them?—I have in connexion with this a very good example of what has happened with regard to the smoke. By the Public Health Act of 1891 the administration of the Smoke Prevention Acts was taken from the police and given to the vestries. Since then the prosecutions have been very few indeed, notwithstanding that the Council's officers have reported to the vestries 1,381 infringements. We had a very strong case lately in Hammersmith. Not long ago a prosecution was mentioned in the papers as being carried out by the Hammersmith vestry. But that was only done after the Council had threatened to act in default; and we have had twice to threaten to act in default.

13,514. (*Lord Farrer.*) The Council have power to act in default?—The Council have power to act in default. It was in connexion with some malting works there, and Mr. Richmond, R.A., who naturally took great interest in the purity of the atmosphere, came constantly to us about it. We did our best to get the vestry to prosecute it. It lasted for months. It was sent backwards and forwards from the committee to the vestry, from the vestry to their sanitary officer; and the sanitary officer reported that there was no infringement while he was there. At last we said we were going to take action, and action was then taken, the other day. There is no doubt the transfer of the Smoke Acts to the vestries has not been advantageous. Then, with regard to Infant Life Protection, that is a matter which has been suggested as of very great importance. It is a very small matter indeed; but, at the same time, it is so small a matter that it could not really be done by local bodies. In the first place, we have done it up till now with the assistance of one man; and lately his work has so increased that we have had to put a second man on, and the Council seized with an idea more of philanthropy than anything else—resolved also to put a woman with him to do the actual inspection of the baby farms. Well, the baby farms in London only amount to 20, which have to be actually inspected, and they are very well managed. But the work that the two men have to do is much more of a police nature, and of a detective nature. They see all the advertisements for children to be taken out to hire; they track them all down to their places, and, practically, their work is a large detective work, just like the Metropolitan Police might perform, and could not possibly be done by each locality separately. They would do away with it rather than do it. Well, then, with regard to Weights and Measures. Now, in the first place, I need hardly say that uniformity of administration in the Weights and Measures Act is very necessary. In London, for instance, when the Council was first appointed, we found a man in the Surrey portion administering these Acts at a salary of 600*l.* a year. Across the street, in a portion formerly in Kent, we had a man administering it at 18*l.* a year. That is a very good example of how, when left to localities, they look at this question of weights and measures. But, from the general working, really I do not think it is a question for local work at all. In the first place, we manage it with six officers for the whole of London; so that, again, shows that if individual local bodies had each one, there would be a multiplication of officers. We have six offices and 10 inspectors.

13,515. (*Chairman*). Those officers are perhaps too few?—Well, I do not think it has been proved to be too few.

13,516. We had some evidence on the inconvenience of the position of your offices?—Yes. I was very much astonished at that, and I have looked into that question. It was said that a man who lived in Westminster would have to go to the Edgware Road; but as a matter of fact he never goes to the Edgware Road. I should like to show you our stations marked on the map of London. We have established these six offices, which are those large red spots. The great object in the establishment of these has been to get them in the place where they are most convenient. Now, as a matter of fact, no ordinary tradesman ever goes to our offices; all the testing takes place through the scale-makers, and although at the beginning, when the Act first came into operation, we voluntarily put up in our offices the machinery which is necessary for re-adjusting the machines, in order to meet what would be the requirements, as we thought, of the poorer people, they did not come forward, and now I am told that not a single tradesman comes for the testing of scales and of weights and measures to any of our offices, this being always done by a scale maker. That large spot is one of our offices, these little red spots are scale makers. The reason of putting that station there is because a large number of scale-makers live in Marylebone; there is only one scale-maker in Westminster, and anybody in Westminster would probably go to that scale-maker, and the scale-maker would take the scales for inspection to one of our offices—possibly to that one over Westminster Bridge.

13,517. (*Lord Farrer.*) He may go to that scale maker or elsewhere?—He may go wherever he likes. Therefore that little bit of evidence is not evidence, but only a matter of opinion, not of fact.

13,518. Have you had any communication with the Board of Trade about this?—No, I have not.

13,519. Do you know whether the County Council have, about this inspection of weights and measures?—Oh, I think we do communicate.

13,520. I ask the question because when I was at the Board of Trade this question was much raised, and one of the great evils was to point out the action of different authorities close to one another, and I at that time felt it was the principle and the object of the Board of Trade to centralise the inspection of weights and measures as much as possible in each separate district and get it into the hands of as responsible an authority as possible?—Yes.

13,521. I know that was the great object of the Board of Trade. Great evils had arisen from scattering the inspection to separate authorities who acted in different ways and on different principles?—It is very essential as I understand it, for the working of it, that they should meet altogether; very often they meet and discuss these matters.

13,522. They formed an association?—The inspectors over the whole country have formed an association. Our officers meet once a fortnight at Spring Gardens and discuss questions which have arisen in their administration. Then the same thing applies, to a certain degree, with regard to the sale of coal. There we have 13 coal officers, and the whole staff amounts to 43—that is for the whole of London. It is more a matter of detective work. They travel about all over London, following those men that they think are likely to be defrauding the public. I think, as a matter of administration, you might as well have the ordinary police in different districts as put these men under different authorities.

13,523. With regard to the weights and measures, and it applies to the sale of coal, is there any apprehension that a local body might be actuated, too, by some feeling of favour towards its own shopkeepers in dealing with this question? Do you think that the County Council is more free from any danger of that kind?—Yes. I think that comes back to what I have laid down—the further distant a body is the more impartial they are in matters of prosecutions.

13,524. (*Chairman.*) The degree to which that would be the case would depend upon the size, the responsibility, the dignity of the local body?—Yes; no doubt that would be so. Still the great manufacturers in the district, coal merchants and others, would always have great influence. With regard to the Shop Hours Act, this has now been practically carried out for the present in London. The provisions of it, as you know, are that young people under 18 are not to be employed more than 74 hours a week. Immediately the Act came into operation, we caused 23,000 notices of the provisions of the Act to be

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distributed to and posted up in all places where young people were employed. Since then we have not done much because Sir John Lubbock advised us not to take very stringent measures at first in the way of prosecutions; but, of course, there have been a certain number of prosecutions under that Act—and these have been carried out by us. Local authorities would probably not have acted concurrently in this matter, or so expeditiously as the central body were able to, but still I must say this Act might have been administered—and might now be administered—by the local authorities. It comes in the same category as the others duties I have mentioned, in the execution of which one has to prosecute people. I do not see any reason myself why that should not be done by the local authorities, if it were deemed advisable, but I should not advise it.

13,525. Sometimes you might have a different local authority on two sides of the same thoroughfare?—Undoubtedly you may, and this objection arises especially with regard to another small matter which has been mentioned, viz.—the closing of streets. Undoubtedly the vestries repair their streets, and they ought to have a word in the closing. But it is a very convenient thing that no vestry can close their streets until they have come to the council. That is how it works out. They have to send us notice, and we have to send them down formal consent. Streets like Oxford Street run through many parishes. Two parishes closing at the same time might stop all the traffic. The provision of the Act, namely, not to close without consent being given, is quite necessary, because there must be some power of overlooking the various separate proposals for closing streets. I know of no practical inconvenience having arisen under the existing law, but this year we found that although we had the power to consent, we really had not the power to prevent the vestries closing streets if they liked to go on; and some of the ardent members on the highways committee thought we should get a distinct power to penalise them. We included this power in one of our Bills, but the vestries raised a great outcry, and accordingly we yielded before it got into committee at all—so we met them to that extent, at all events.

13,526. Do you exercise a discretion about it?—Yes.

13,527. Do you remonstrate with them when they close a street entirely?—Sometimes. No doubt the Act is not so strong as it ought to be. The whole of Piccadilly was up one season, and questions were asked of the chairman of the highways committee why it had been done. He said he had not any power to prevent it.

13,528. (*Lord Farrer.*) Do you think there is any object in these things appearing on the agenda of the County Council?—I do not think so myself. In a case like that, it is never challenged at all.

13,529. (*Mr. Smith.*) It only affords some justification for the average Londoner, who misses his train, the street being up, to abuse the County Council.

13,530. (*Chairman*). We had a gentleman from the Strand before us. I think he claimed very strong powers against you?—Oh, yes, the Strand. I am afraid you have not had only our friends before you. The Strand generally opposes us, for some reason or other. Then I see it has been suggested that common lodging-houses should be given over to local authorities. Well, they have not come to us yet; although there is a Provisional Order drafted for transferring the licensing of them from the metropolitan police to us. But I think there can be no doubt that a central body is wanted to deal with that important question. You could not very well leave it to the local bodies to license the common lodging-houses. I am afraid if you did, the worst administrations would be in the worst part of London, where the worst accommodation is. It is very much a question of the police also. The Council will have to work very much in accord with the police.

13,531. (*Lord Farrer.*) Will the police be the agents of the Council for this purpose?—That was suggested at the Committee, but they came to the conclusion that we must have our own agents for sanitary purposes, and the police would continue their inspection for the purposes of detection of crime. Then I notice also that other matters have been suggested, namely, Hospitals. As you know, the vestries have had powers to set up hospitals for very many years, and have never done it; it would be a good thing if they did. Infectious hospitals are administered by the Metropolitan Asylums Board. It would be quite impossible to leave infectious hospitals to portions of London, because, London must be dealt with as a whole on questions of infectious disease. Then there is Vaccination which was also suggested. That is rather a general question. It is at the present moment in the hands of the guardians. There is no reason why it should not be done by the district councils.

13,532. It is not a question between you?—No, it is not a question between us. And then again the Registration of Births and Deaths; that is a question of general policy rather than affecting us.

13,533. I suppose if the registration of births and deaths were removed from guardians, you would see no objection to its being removed to the District Councils. You would not wish it removed to the London County Council?—I have not considered it. I think it is more a matter for the Government.

13,534. (*Chairman.*) That is a matter on which the Local Government Board would have something to say?—The clerk of the board of guardians is an officer of the Local Government Board for the registration of births and deaths. It is a matter of Imperial concern. Then with regard to the Markets. Of course, there has lately been nothing to prevent the local authorities setting up markets, except, of course, the imagined right of the City to prevent it. We have never done it, and they have got one down at Woolwich. You know the great markets are markets for the whole of the metropolis, and I should have thought no one would suggest putting the Deptford cattle market in the hands of the Deptford local board, or the Islington cattle market in the hands of Islington.

13,535. (*Lord Farrer.*) Have the vestries any powers over those markets in the streets?—They have got certain powers with regard to prosecuting the costermongers, a question which has been fought out a good deal.

13,536. That was decided in favour of the costermongers?—That was decided in favour of the costermongers. They were always coming in collision with them. I do not think they have got any power over them as markets at all. I suppose they keep them clean; they are responsible for the cleansing of the streets.

13,537. The Council will have no jurisdiction in that matter, and they never suggested that they should have any?—No. Then there is another very important matter, about which a good deal has been said to you, that is, with respect to the loans that are made to local bodies. I think Mr. Cohen said he did not think the present system was a good system on which loans were made. I cannot understand his saying so, because there can be no doubt whatever, that for the last few years local bodies in London have been able to borrow on much better terms than they otherwise would have from the fact that they have got their money on the security of the Council. In fact, the terms upon which they borrowed formerly were much higher than the terms on which they borrow from us now. And now, although it is quite true there is a very small difference in the rate at which they can get money from the Prudential instead of us, there is an advantage in coming to us; it is more convenient for them to come to us.

13,538. (*Lord Farrer.*) I think Mr. Cohen gave up that point?—It is also a very useful thing, lending to the vestries. We have a use for our accumulated funds which is very valuable to us.

13,539. Can you tell us exactly how the law stands with regard to giving leave to borrow, because it varies a good deal with regard to different authorities?—The only bodies who come to us for sanction are the vestries and district boards under the Metropolis Management Act. The guardians have to get the sanction from the Local Government Board.

13,540. You mean to say the vestries that are metropolitan governing bodies under the Metropolis Management Acts; they come to the Council, do they not?—All the vestries, which are governing bodies under the Metropolis Management Acts.

13,541. And all the district boards?—And all the district boards. They all have to come to the Council, and they come to the Council in very large numbers indeed, for sanction.

13,542. And they have not to go to the Local Government Board?—More than 100 come to us for sanction in the year, and also for borrowing.

13,543. They have not to go to the Local Government Board?—No; they do not go to the Local Government Board at all.

13,544. The sanction of the Council is sufficient?—The sanction of the Council is sufficient. There is no doubt that in a few instances this question of sanctioning loans has created a certain amount of friction with the local authorities. It has been where the Council has been strict with them. We have applications to lend money, and we always refer them to the solicitor to advise whether the loan can be legally made, and to the engineer, architect, or the valuer, whether the amount of money required is reasonable for the amount of work that is being carried out. These two points have to come up first of all. For instance, the Kensington vestry wanted to buy a a wharf, and the valuer going down reported that the price they were paying for it was abnormally large. In the result, we came to the conclusion that we were not entitled to lend our money in such a case.

13,545. That is different, a question of lending?—Sanctioning and lending.

13,546. They both go together?—The sanctioning and the lending go together. As a rule they ask us for both; and when Lord Lingen was Chairman of the Finance Committee, he always insisted that we should not sanction a loan unless we could lend upon it. That was rather a strong proposal, a very strict view, and since then we have somewhat departed from it, but only in very few instances. Lord Lingen's view was that if it is not legal to advance money for any work, we ought not to give our sanction for it. That was the view he took in almost every case; that was the view we took in the case I have mentioned. We did not sanction the loan because money sought to be borrowed was out of all proportion to the value. Then another case which happened to us was in Shoreditch. In this instance our Theatres Committee served a notice upon the vestry to make better exits for their town hall. Well, they carried this out, and then they came to us for permission to borrow the money. Thereupon it went to the finance committee, and the finance committee, on the advice of the solicitor, was bound to say that it would be illegal for the vestry to borrow, because they had not the power to spend the ratepayers' money on any matter connected with the exhibition of stage plays, and thereupon we had to refuse it. I know the vestry was very sore indeed about that. Ultimately we said we should bring in a Bill, and we passed an Act last session which enables vestries to spend money on their town halls.

13,547. And in another clause they have power to use their town halls for entertainments?—They have now got it, and it is now legal for the vestries to borrow for the purpose; but at that time all we had to do was to observe the existing law with regard to loans. I have also had experience of applying to the Local Government Board for sanction to borrow. In my opinion the system of applying to the Council for sanction is more convenient for the local bodies than applying to the Local Government Board, and is, for many reasons, more satisfactory. I do not see any difference between the method of procedure adopted by the County Council and the Local Government Board. They both of them strictly observe the law with regard to these loans. Prior to sanctioning a loan the finance committee of the council always have a report from the officers as to the number of years that the proposed work is to last, and it is upon that report of the officers that we lend the money. We had a great question, of course, the other day with regard to the electric lighting instalments.

13,548. (*Lord Farrer.*) The principle the Council go upon there is the same as they go upon in every loan—not to allow loans for a longer period than the works will last?—The period that the benefit of the improvement will last.

13,549. The benefit of the improvement will last, but that is the principle?—That is the principle.

13,550. (*Mr. Smith.*) Do you carry that out in a miscellaneous loan?—Yes.

13,551. (*Lord Farrer.*) There was a discussion in the Council the other day, was there not, with respect to electric lighting in St. Pancras?—Yes.

13,552. And a division upon it?—Yes.

13,553. And there the principle was decided, was it not, that you were to take the length for which the improvements, taken as a whole, were calculated to last?—The Council did decide that, yes.

13,554. The finance committee reported to that effect. They took the land for as long a period as the loan is allowed to run, and they took the different parts of the undertaking, and the time for which experts calculated they would last, and they averaged them, did they not?—That was what we did. We did that in opposition to the wishes of St. Pancras.

13,555. (*Mr. Smith.*) Did you put a distinct loan on each item?

13,556. (*Lord Farrer.*) A distinct sum to each item, and then averaged them.

13,557. (*Mr. Smith.*) I see.

13,558. (*Lord Farrer.*) Against the very strong opposition of the vice-chairman of the Council.

13,559. (*Mr. Smith.*) Is that quite fairly averaging? Suppose you take 100,000*l.* for the loan?

13,560. (*Lord Farrer.*) 100,000*l.* for the loan—I do not know how the calculation was made?—They took the actual sum and divided it up into different items.

13,561. And a distinct loan for each?—A distinct loan for each.

13,562–3. They made one loan for the whole, in which the different items were put together?—No, Lord Farrer, I think you are wrong there. The money was actually advanced on different parts.

13,564. I thought the question was whether it was to be 30 years for the whole loan?—The Council resolved to have the smaller periods—the different periods.

13,565. (*Mr Smith.*) It seems to be the more just plan.

13,566. (*Lord Farrer.*) I thought they decided on the 30 years, whereas Mr. Harrison wanted 50 years?—Mr. Harrison wanted 50; perhaps you may be right.

13,567. (*Mr. Smith.*) The practice of the Local Government Board is to go into comparatively small items, down to as low as 500*l.*—something of that sort—and then to allocate a distinct period to the loan upon each item.

13,568. (*Chairman.*) It works out ultimately, or would work out, into a judicial procedure; but at present there is a prejudice evidently against this being referred to a quasi-popular vote?—Yes. Of course I have got a higher opinion of the work done in relation to this matter by the Council than of that done by the Local Government Board. It may be a prejudiced opinion.

13,569. In the House of Commons we should rather hesitate to have it done by a popular vote. It

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would be decided by a sworn committee, say, of four.

13,570. (*Lord Farrer.*) Practically that is really done upon a very careful report of the Finance Committee who know all the circumstances; and then the question raised in the Council was a question of principle—were the committee right in the principle they had adopted.

13,571. (*Mr. Smith.*) And the Finance Committee are previously fortified by the report of the solicitor and the engineer.

13,572. (*Lord Farrer.*) And the engineer?—Yes, I attach a good deal of importance to that.

13,573. I do not think you could have anything done more carefully or judicially done than that was done?—I attach a great deal of importance to retaining this power, and indeed extending it. To my mind it is very important that the London County Council should have the highest powers possible with regard to London's finances, as there is no doubt that this question of the whole finance of London does attract men to give their time to the work of the Finance Committee. In order to go into this question of how we ought to sanction the loans by the local authorities, we got out last year this return, which I will hand in to the Commission, because it is a very valuable return indeed, showing exactly the amount of indebtedness of each particular locality in London—showing how some of them had run into debt to the extent of 140 per cent. of their rateable value; whereas others, only to the extent of 89 per cent. of their rateable value. This return itself was a matter of considerable interest to the Committee; and I think it shows that, at any rate, as regards the finances of London, the Finance Committee of the London County Council goes very thoroughly and very honestly into its work. We should be sorry to lose anything in the way of financial control.

13,574. I should like to ask you this question, with regard to the point the chairman put about popular assembly. This is worked out carefully, first by experts and then by the Finance Committee?—Yes.

13,575. It then goes to the Council?—Yes.

13,576. And it is there argued as a matter of principle?—It goes to the Finance Committee first.

13,577. It goes to the Finance Committee, who make an elaborate report; it then goes to the Council on that elaborate report; the Council discuss it, and decide it as a matter of principle?—Yes.

13,578. Do you not think when it has been decided in the Council by such a majority as there was the other day, that the matter stands on a firmer basis for the future, than if it had been decided by a small council of experts?—I think it would.

13,579. If it had been decided by a special committee, say, of the Finance Committee, or by the officers of the Council, there would have been a great disposition on the part of the Council, with that jealousy which exists in democratic bodies, to upset it?—There would.

13,580. When the Council has decided the matter itself, as a matter of principle, it is very difficult to reverse it?—That is my opinion, that once the Council have decided, by however small a vote, it is almost impossible to upset it.

13,581. (*Chairman.*) I understood you to say that you make a rule that you would not sanction a loan where you are not prepared to advance it?—That was the rule, as I say, that Lord Lingen made very strictly; he was a very strict chairman. But since then we have not absolutely taken up that position.

13,582. Have I stated it exactly? I put it to you that you would not make a loan where you are not prepared to advance it. I ask whether it was that; or whether you would not make a loan where you did not intend and were not asked to advance it?—I do not quite follow you.

13,583. You would not sanction a loan without being prepared to advance it. That is one principle. Another is, you would not sanction a loan unless it was also part of the bargain that you should advance it?—We have not quite adopted that very strict rule, because, as I say, some of us have felt that, in considering the question of sanction we were not bound to consider whether or not it was right for us to lend it.

13,584. (*Lord Farrer.*) I do not think you understand, Mr. Dickinson. The Chairman's point is this: has the Council ever made a rule that it would give no sanction unless it also lent?—No, we have not made a definite rule of that kind.

13,585. They had no right to make such a rule, had they? I mean the vestries were free to borrow at other places?—I think if we made a rule without considering the merits of each individual case, the vestries might say we did not discuss it in a judicial manner.

13,586. Has there not been a case; did not the School Board say, "We will go elsewhere?"

13,587. (*Chairman.*) The School Board does not have the sanction.

13,588. (*Lord Farrer.*) The School Board does not have the sanction, that is true?—I do not know that there has been any case where the vestries may have said, "We would rather not have it from you"; and have got it elsewhere with our sanction. We have sanctioned it, we will say, and said, "We will not lend it"; they have then gone somewhere else. We have done that in one or two cases.

13,589. (*Mr. Smith.*) You never made it a condition in granting the sanction that you also become the lender?—Certainly not. Then if I may just say a few words with regard to the Building Acts. That is a matter of which those gentlemen on the Council who have administered the Building Acts know more than I do, because I have never been a member of the Building Act Committee, although, of course, I know a good deal about their work; but those gentlemen who administer the Building Acts I think, would say, without doubt, that this is a thing which, if relegated to the local authorities, would suffer, because it is a matter which affects property to a very large extent. To take them one by one, the question of the Line of Frontage; that has to be dealt with on some sort of system throughout London. If you do not have a system, which practically prohibits anybody building out in front of his house, you would have to make exception after exception, and the whole use of the Act would be abolished to a great extent. Thus take, for instance, large roads, for instance like the Euston road. You know that was made some 100 years ago, and the Act then stated that no house was to come within 50 feet of the road, thereby leaving a magnificently broad open road. Well, in the early part of this century the owners gradually encroached, because there was no one to look after that, and when the Metropolitan Board of Works came into existence they found these encroachments all about. And in these cases the vestries that have jurisdiction over different parts of the road do not look at it from the point of view of the whole of London, as being a large open thoroughfare—a broad and handsome thoroughfare—but they look rather to the rateable value which accrues by buildings being erected. Whenever applications have been to bring shops forward they have always had the approval of the local bodies, and there has always been the greatest difficulty to restrict them in the Marylebone Road for that reason.

13,590. (*Lord Farrer.*) That is generally the case, but I was mentioning a case where the reverse happened, where the Marylebone vestry were against the encroachment, and the Metropolitan Board of Works allowed it, because I went with the deputation from the Marylebone vestry?—The Metropolitan Board of Works were extremely easily prevailed upon.

13,591. There were applications from philanthropists?—To a great extent it was the hospitals in Marylebone that were the sinners, and they prevailed upon the Board before we came into existence.

13,592. And I think the Council would never be prevailed upon for a moment to do anything of the kind?—I do think so at the present moment. I think they stand out very strictly. With regard to New Streets, it has been suggested that new streets should go before local authorities. The building of new streets in London is regulated by Acts of Parliament, and anybody can make a new street wherever he likes, provided he complies with the requisitions of the Acts of Parliament. He has only got to make it 40 feet wide, and opening out between two roads; he can make the street exactly as he pleases; we cannot interfere in that, and nobody else can interfere in that. Where we do have to interfere is when a man tries to make a street in such a way as to evade the law; and in that respect I think the Building Act Committee would say they would evade the law very much more easily if they had to deal with the local bodies than if they have to come to the central body. Then with regard to the district surveyor; he is a statutory officer. He is appointed by us. There are more district surveyors in London than there are local bodies; so the areas do not coincide. As regards constructors of ordinary buildings in London this is managed by the man who builds, the district surveyor, and the magistrates. The man makes his house; if he makes it right, no one interferes; if he builds it wrong, the district surveyor brings him before the magistrates. We do not interfere in the construction of ordinary buildings; we have no right to interfere, nor has any local body. But with regard to large buildings, we do come in to a certain extent; and I think it is advisable to keep this in the hands of a central body. In public buildings and large buildings, again, there is a definite obligation to comply with the law as regards size and method of building; and the district surveyor is the person to prosecute. But there are appeals against his decision which come to the County Council. I doubt whether you would get any advantage by transferring these appeals to the local bodies.

13,593. I think we had some evidence from some of the vestry people of inconvenience arising from the overlapping of the jurisdiction of the County Council and of the local bodies where a builder has to take his plans to two sets of surveyors instead of one?—Well, it depends exactly upon what he takes his plans for. A builder sends his plans to the County Council for the purpose of making his street. I do not believe he is bound to send his plans at all if his street is properly designed. If he is going to make a street that is not entirely in accord with the Acts of Parliament, he sends his plans to the Council, who may in certain cases make exemptions in his favour. Then, as a separate thing, he sends his plans to the local authority, so that they may see that the houses are properly drained and sewered. Then the third step is the construction of the house. As I said, the construction of the house, as long as it is made of proper bricks and mortar, is subject to no public authority. It is the business of the district surveyor to see that it is not made otherwise; if it is made otherwise, then he prosecutes. I do not know that there is anything that you can very well rectify in that.

13,594. As I pointed out, the whole administration of the Building Acts in London is with the district surveyors. The district surveyors are appointed by the council, but they get their fees, you know, from the builders; and unless they behave very badly even the County Council could not interfere.

13,595. Supposing that a builder and a district surveyor differed, and the builder came to the council and complained?—If they differed about a large building or a public building, then——

13,596. But with regard to an ordinary house?—With regard to an ordinary house, no, the district surveyor has to prosecute; go before a magistrate.

13,597. The builder has?—As to whether or not he has observed the law.

13,598. Has the district surveyor no discretion?—He has to carry out the law as best he can. The builder sends him plans of the house, telling him he is going to build it; then the district surveyor goes and visits it more or less regularly, and sees if it is going on all right.

13,599. (*Mr. Smith.*) You do not consider your district surveyor your officer?—I do not think he is in London.

13,600. It is an official appointment?—Yes.

13,601. (*Chairman.*) You appoint him?—We appoint him.

13,602. (*Mr. Smith.*) You regulate his fees?—We regulate his fees.

13,603. (*Lord Farrer.*) He is not the servant of the council?—No, no, clearly he is not the servant of the council.

13,604. (*Chairman.*) Is he any more the servant of the council than the coroner is?—Well, we pay the coroner.

13,605. And you appoint the coroner?—We appoint the coroner, and we pay the coroner—directly. The district surveyor gets his fees from the builder; when the builder gives him his fees he gets his certificate.

13,606. Is the coroner removeable by the Lord Chancellor, I am not quite sure?—I do not think he is removeable by us.

13,607. (*Lord Farrer.*) Are there any complaints? I ask for this reason. We had exactly the same system at the Board of Trade with regard to the survey of ships. We appointed certain persons, the most respectable we could find at the ports, and gave them certain instructions, and they received their fees; but beyond that we did not interfere, and that was found to lead to such great confusion and so many complaints that we were gradually obliged to take the whole administration into our own hands, and make the surveyors distinct officers of the Board of Trade, taking their instructions *de die in diem* from the Board of Trade?—There is a tendency on the part of some members of the County Council towards such a change, but we have not decided to do that. We have prevented district surveyors doing anything but our work; they must do our work and nothing else. That has been the alteration. Some of the council wish rather to make them servants of the County Council; but it is a very different thing making them servants of a local body, because the district surveyors have to deal with architects of a high stamp. Every builder in London, big or little, has to go before the district surveyor, and I do not think myself the ordinary inspector under the vestries and district boards would be at all the class of man to regulate the actions of architects in London. I think probably you would find the profession objecting.

13,608. Are these surveyors men who are making considerable note and in the highest position?—Oh, yes. I should be very glad, if you wish for further information, that somebody else should give some opinion upon the matter; because it is very important.

13,609. (*Chairman.*) From the Building Act Committee?—From the Building Act Committee.

13,610. (*Lord Farrer.*) Who is the chairman of that committee now?—Dr. Longstaff.

13,611. He would give us evidence if necessary?—Oh, yes; I have no doubt he would explain what you wish for. Just to complete what I have to say in regard to the Building Acts. There is the Street Naming. Of course, it stands to reason you could not give that to the local bodies, because the one difficulty we have is the number of the same names that exist all over London. The practice is always this: When a new street is made, the person who lays out the street is always entitled to give the street his own name provided it suits, and the Council only objects if it is unsuitable. As regards alterations in existing names, the local bodies, by our standing orders, are always consulted; and, indeed, in all questions of line of frontage, new streets, and alterations in names of streets, there is a standing order in our book to the effect that before anything is done, 14 days'

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notice should be given to the local bodies; and they always send up their views on these questions, so that the Committee have all views before them. Then, with regard to dangerous and neglected structures, that is rather a small matter; but it really is making owners of dilapidated property spend money upon it.

13,612. Who looks after that?—Mr. Blashill and his assistants; he has a branch of assistants expressly for it.

13,613. Inspectors?—No, surveyors.

13,614. The district surveyor reports?—The district surveyor reports. He is bound to report. We have about a dozen or 20 reports every day, of places that are in bad repair. Then he has instructions to send notice to the owners. If they fail to do the work it has to be carried out by the district surveyor, and then we have to recover the cost. That is one more of those matters in which you have to choose between putting it into the hands of people who are locally interested or putting it into the hands of a central body. Then, one other thing; and that is the Administration of the Factory Acts. In this matter we have to have the plans of all new factories, and we have had to have examined all the old factories with the view of ascertaining whether they are safe in case of fire. It has been a very onerous duty, and I do not believe, if it had been done locally, it would have been done to the same extent. And, of course, there again it affects very strongly individual properties.

13,615. Does Mr. Asquith's new Bill give further powers in respect to smaller working places?—I do not know. That is not a Bill for the construction of factories, is it?

13,616. (*Chairman.*) No; I do not think so?—This is the construction of factories. With regard to Main Roads, I do not want to say anything about that, except to explain to the Commission how it is that some of the witnesses have thought that the Council have made it a dead letter. It was an Act that never could be applied to London. We had applications for some 400 miles of roads to be declared main roads. We invited every parish to say what roads they would like to be declared main roads. Some of them sent in all the principal roads in the parish, with the result that the committee, having taken several months to consider it, found it impracticable to do anything. We had to come to some sort of arrangement with respect to the few miles of main road that we were bound to maintain, and we divided the cost with the local authority. Well, then, may I just say one word with regard to the relations that the central body might have with regard to the local bodies. I should say, in the first place, that the London County Council ought to have the fullest power of making byelaws to regulate the work of the metropolis. This book which I present is our volume of byelaws. You see we have consumed a considerable amount of paper and ink, at any rate, in that direction, and I think it might still be extended a good deal. Our byelaws are made under very many different Acts; and we ought to have had more general powers to make byelaws. And then, of course, we have powers to act in default where vestries do not do their duty; I think that should be retained and might be with advantage considerably strengthened. The principle of London Government should be that the central body should have the fullest power to act where the work is not done properly, and where it is done properly it should be left to be done by the local bodies. Then, I think it would be an extremely valuable reform if we could have some control over the finances of the district councils. The Equalization of Rates Bill is a tendency in the right direction. But it does not meet the whole question of London finance; and if that is to be considered at all, I think the only reasonable way of doing it is to compel local bodies to have an annual budget, which should be approved by the central body, and which the central body might, subject to appeal to the Local Government Board, disallow items of; and then the whole of the money required locally would be raised equally all over London, with the exception of the disallowed items, which would have to be raised specially in the localities. To my mind that is the principle upon which the reform should go with regard to the finances; and I think that would work very well, too, as far as I have been able to see.

13,617. You would leave a certain initiative with the locality, but no discretion. Everything is to be ruled by the County Council?—No, I do not say that.

13,618. Let me understand it?—As regards the raising of the money, it would work out something like this. The estimate of money required by a locality would be sent to the central Council, and would be by them added to the general account. So all London rates would be collected as one rate then.

13,619. It would have to be sent and approved, I understood?—The Council would have the right to refuse to raise any portion of it as part of the common rate. In that case, subject to an appeal to some impartial tribunal, that portion of it would have to be raised locally.

13,620. (*Lord Farrer.*) Take the rating for the paving and lighting of Marylebone, for instance?—Yes.

13,621. Very well. They would propose to spend so much in that way?—Yes.

13,622. They would propose to levy such and such a rate for that purpose?—Yes.

13,623. You do not mean that that rate would be levied equally all over London, but that it would be levied in Marylebone?—No. My suggestion would be that there should be only one rate over London.

13,624. (*Mr. Smith.*) A county rate, in fact?—A county rate, in fact, just the same as in any other town.

13,625. (*Lord Farrer.*) That the rate should be the same all over London?—That the rate should be actually the same all over London, with the exception, in order to obtain economical working in the localities, that if there was anything that was not passed by the Council, that should have to be raised locally.

13,626. (*Chairman.*) The expenditure that the Council approved would be raised with the Council's expenditure as one rate throughout London; the expenditure which the Council refused to approve would be raised locally?—Yes, sir. That is merely a bold way of putting it. I have certainly come to the conclusion, after a good deal of consideration, that that would be the proper way.

13,627. (*Mr. Smith.*) Is the approved expenditure equal to what would be absolutely equalization of rates throughout London?—Yes, that is what it would be. May I point out to you that what we suffer from so much in London is the enormous number of rates made. May I just show you this. It is a return showing the amount which an individual, rated at 100*l.* a year, actually pays in the shape of rates every year in every rating area of London. If you look at that you will see that a man in Kensington pays no less than 11 different rates.

13,628. (*Chairman.*) Yes; the County Council, Metropolitan Police, Asylums Board, School Board for London, Kensington and Chelsea School District, Guardians of Kensington, Vestry of Kensington, Overseers of the Poor, Baths Commissioners, Library Commissioners, and Burial Board?—And if you go thrugh the whole return you will see that practically in the other parishes there are from six to ten rates.

13,629. (*Lord Farrer.*) I suppose these rates are now put generally upon one rate paper, are they not, and collected together?—Yes, they are put either on one or two rate papers. In Wandsworth we have two rate papers always, and two rate collectors. The expense is very large; the expense of collecting rates in London is enormous, it is nearly 100,000*l.* a year. Then, sir, if I might continue, I would make all the local bodies omnipotent in their own area; that is to say, I should do away with the

numerous commissioners that exist everywhere. The local councils should have the baths and washhouses, the free libraries, and the work of the burial boards, they should have all the charities, they should have the work of assessment, subject to the central body, as our Bill which is before Parliament now proposes; and I should go farther; I should give them the poor law. And the reason why I should give them the poor law is, that I believe you would get better bodies the more work you give them to do. I am pretty certain, from an experience on a district board of works at Wandsworth, a very large one, and also knowing a good deal of the work of the board of guardians, that one body, working of course by committees, would do the whole of the work done by these two bodies, and would do it a great deal better, because the two bodies clash. There is no doubt the poor law administration comes very near indeed to the sanitary administration of the district board of works. The guardians have relieving officers whose work is often closely assimilated to that of the sanitary inspectors; and then the vestry or district board of works deals with the unemployed, the sanitation of the houses, and all that. If they were united—certainly in London—I believe it would be an advantage, and in addition to that I think it would attract a better class of men to have the two things put together. Therefore, I should give all the local work to one local body, and thus I think you would get bodies that would have sufficiently important duties to attract men of ability.

13,630. (*Mr. Smith.*) Have you anything to say on the important question of grouping?—Yes; I do not know whether you have given any attention to the paper that I prepared on the London local areas. It gives the existing areas in such a form as will enable one to appreciate the results of any system of grouping or dividing. My own opinion is that London could be best divided into about 30 districts. We have got now 30 boards of guardians. If you go upon the principle of taking the poor law areas in the first instance, and then trying to adapt them where there are inconsistencies, you will find that you are able to carry out the necessary changes without affecting the prejudices of people to a very great extent, as being in many cases already united for poor law purposes, they are already half way towards union for all purposes; and 30 or 32 bodies would be about right for that purpose. Of course you would have to group a good many of the smaller vestries. You would also have to combine certain unions and divide one or two unions. For instance, I think the Strand Union and the Westminster Union would probably have to be combined. In that case two unions joined together would not be too large. The parish of St. James's, Westminster, should be merged in some larger district, a parish like that is undoubtedly much too small. Then there are some parishes, too, near the City, which are much too small. My own view—looking at it in the light of personal opinion entirely—my own view is, that if you were to proceed on the basis of creating about 30 bodies, you would get districts of the right size and with the least disturbance.

13,631. (*Chairman.*) What is the number of parliamentary constituencies?—Fifty-eight constituencies, including the City—the latter has four members.

13,632. (*Mr. Smith.*) And you would be taking an area that has been made the area for district councils throughout the country generally?—Yes, no doubt.

13,633. Are these 30 boards of guardians wholly contained within the area of the London County Council?—With one exception. I beg your pardon—with no exception. All these unions are contained in the county; there is a little bit of the county not contained within these unions.

13,634. (*Lord Farrer.*) That is Penge?—Penge.

13,635. Have you formed any idea as to what would be the best way of setting about getting an alteration of those areas made? Would you attempt to do it at once, or by degrees under the power given in the Local Government Act to county councils for altering boundaries?—Well, I should not like to suggest to this Commission that they should propose it; but a thing like that, I think, has to be done at one blow. It creates such an amount of feeling—local feeling—that unless you could deal with it strongly by Parliament, you will never get it done.

13,636. You would not like to wait for the unification of the Corporation of the City and the County until that is done?—No.

13,637. (*Mr. Smith.*) And you would not like to add the excitement that it would cause to the excitement caused by unification?—No; I would rather leave that out of your report, personally.

13,638. The City of London is one union now, is it not?—The City of London is one union—yes; it is the smallest union.

13,639. We might begin upon that?—You might keep the City of London Union. Well, then, sir, as regards the number of members of those local bodies, my own view would be that 40 to 60 would be sufficient.

13,640. (*Chairman.*) You mean the number of members upon each local body?—Forty to sixty members upon each local body would be very fair numbers. I am sure that a very great deal of the bad government, so to speak, of the London vestries has arisen from the fact that there are often 120 vestrymen, and I am very much alarmed at what is going to take place next November, when I believe, for the first time, we shall have to elect 120 at one blow; 120 is very much too large. They have not got enough work to do, and you cannot get 120 men to stand to begin with, and if you do you cannot get the electors to know more than one-tenth of them. They certainly ought to be very much reduced.

13,641. (*Mr. Smith.*) The largest corporation in the country has only from 64 to 72 members. I do not know any more than 72. We have 72 at the present moment?—I was not aware what number you had.

13,642. Seventy-two and about 18 committees?—Well, then, sir, I also have advocated having the election once in three years. My principal reason for that in London is the very great difficulty of getting up sufficient interest in these elections. That has been always the difficulty in London. You cannot get London people to take sufficient interest really to return the men who are worth returning. I have watched the elections for some years now, and used to take out figures to see exactly what amount of voting there was. For instance, I used to find men elected to the vestries by six votes and so forth, a few years ago. There is no doubt now there is a growing interest taken, but nothing like what there ought to be. And there is a growing interest in the election of the County Council. The last County Council was elected by, I think, 50 per cent. of possible voters voting, and the one before by 40 per cent. only.

13,643. (*Lord Farrer.*) What was the proportion in the parliamentary elections, do you know?—In the last parliamentary election the voters numbered 70 per cent. of people who might have gone to the poll.

13,644. (*Chairman.*) In London?—In London. And that, I say, is the more reason why you should not have elections too often.

13,645. (*Lord Farrer.*) Would you have the election of the local bodies at the same time as the election of the County Council?—I should, personally.

13,646. Have them both triennial?—I should have them both triennial. I do not know that it would be wise to have them on the same day. That has been suggested, but I think that would confuse people too much. The great thing is to allow time for organisations and other people to work, and create interest in these elections. It does not matter how it is worked up, whether politically or otherwise, as long as you get an interest, as that brings forward the best men.

Mr. W. H. Dickinson.

4 May 1894.

13,647. (*Chairman.*) Organisations of what character have you got in your mind?—Both political and non-political.

13,648. Are there any non-political?—Oh, yes. The organisation I spoke of at Wandsworth was non-political. But I have come to the conclusion that it is the political organisations that do the most work in these things, and so long as they do the work so much the better, the more interest you can get displayed by political organisations the more interest you create in the election.

13,649. (*Lord Farrer.*) You cannot expect to get two organisations at work in the same place?—No, it is very difficult. We always used to work with no colours against the blue and red of the other people. There were three associations working. I do not think the political interest does any harm. I must say it does good, because it brings people up to vote who otherwise would not.

13,650. (*Chairman.*) It sometimes repels persons who do not wish to belong to either party?—It might, to a certain extent. Then with regard to the qualification. That, of course, is as broad as it can be under the new Act of 1894, practically.

13,651. I suppose you would make the qualification the same for the London County Council and the District Council?—I think so. It is not the same, unfortunately, now.

13,652. It is not the same?—No, not precisely the same. Then there was one question raised with regard to the division of areas. I need hardly go into that. But it was mentioned by one of the witnesses to-day that the tendency has been to divide into smaller areas. Unfortunately the case just quoted is one which does bear out that construction, Stoke Newington. Stoke Newington, with 30,000 inhabitants, now has a vestry to itself. It ought never to have had it, and this was done with the consent of the Council, I am sorry to say. But it was done in this way. Originally there was a very large district under the Hackney District Board of Works, of which Hackney Parish was by far the greater portion. Well, Hackney wished to be divorced from Stoke Newington, and they brought what pressure they could to bear to get rid of it. And they succeeded. Therefore, we have Hackney, very large, reasonably large for local government; but Stoke Newington, a very small area, which never should have been left by itself, is left out in the cold. This is the only case in which anything like this has been done; there has been division of unduly large areas; Battersea has been divided from Wandsworth, but that is a very large area indeed. Plumstead lately was divided from Lee. If you look at the map, Plumstead is a very large area. The former Plumstead District contained an enormous area. Those are the only cases where divisions have taken place lately.

13,653. (*Mr. Smith.*) In those cases of divisions, what relation would the districts you have divided them into bear to the unions you contemplate, would they be larger or smaller than the districts?—Take the one I know best, Wandsworth. Battersea and the Wandsworth District Board of Works was coterminous with the Wandsworth and Clapham Union. Then Battersea was cut off for local purposes,—Battersea Vestry,—leaving the rest of the District Board of Works, but the whole remained as a union. It is a district growing very rapidly now. It is the largest constituency that there is. The Wandsworth District now has got a population of 103,000, and Battersea has got a population of 107,000. But Wandsworth district is growing very rapidly indeed, and in my opinion, and I think in most people's opinion, might with advantage be again cut in two.

13,654. Its area is so large?—Its area is so large.

13,655. Its 100,000 population is nothing compared to Islington and Kensington?—No. But it has 9,285 acres; that, compared with any other union, is very large indeed. The acreage of the unions in London varies from 216 to 11,454; so it is very large indeed. And then again, if you look on the map, you will see distinctly that the Lee District Board of Works has got a very large area indeed, too.

13,656. What I mean is, you would not contemplate that, supposing your idea of making the unions the governing areas was carried out, you would not contemplate cutting them up because they increase in population afterwards? Would there be any finality about the union, I mean?—Looking at the County of London, personally, from the map, I should say the only two that want cutting up are Wandsworth and Lee. The others are none too big.

13,657. (*Lord Farrer.*) Do you mean they want it now?—I think they would be the better for it now.

13,658. Lee is almost largest?—Lee is almost largest, yes.

13,659. (*Chairman.*) Lewisham runs near Lee, over 6,500 acres?—I think the map shows it you the best. There you see it at once. Here is Plumstead down to about here; and all this is Lee.

13,660. And here is Lewisham?—There is no doubt about it—Lewisham is a large one.

13,661. It is 6,500 acres?—Yes.

13,662. (*Lord Farrer.*) Is not population a better guide than area?—No; I think not. Area has more to do with administration. That, I think, is all I have to say, except that I think the local bodies should be directly elected entirely.

13,663. Both directly elected?—Entirely directly elected.

13,664. Have you any suggestion to make as to the connexion between the two?—Well, I certainly should not make the connexion by having representatives on the central body sent by the local bodies. My own experience in regard to that is, that by that system you do not get the best men. As a matter of fact, in the body I was connected with the election of a member of the old Metropolitan Board took the form of the selection of a person to whom they wanted to pay a compliment. We were represented on the Metropolitan Board of Works by two gentlemen, each of them nearly 80 years of age.

13,665. Would you think that would be the case if the connexion was a living one, and there was a great interest in the central government of London?—I think so. There is a natural dislike to put on one side the member who has served the longest.

13,666. (*Mr. Smith.*) Suppose it was the chairman that was on?—That would be different, no doubt.

13,667. He would not, I presume, be a gentleman of 80 years of age?—No, I think not.

13,668. (*Chairman.*) Would he have too much work to do the two?—I think the chairman of the district council would have too much work. My own view is that you might very well make the members of the central council *ex officio* members of the district council. About one fourth of the London County Council are as it is on the vestries or district boards.

13,669. (*Lord Farrer.*) You would like to make a connexion that way?—I would prefer to make a connexion that way rather than the other. It is valuable at the present moment to have them. I am on the District Board of Works for Wandsworth. I cannot attend now since I have been deputy chairman of the London County Council; but they prefer to keep me on because of the connexion.

13,670. (*Mr. Smith.*) Have you any views as to the titles of these bodies? Are you not of opinion that we should follow the title in the country, viz., district council, rather than make them a sort of municipality?—Well, it certainly is more reasonable. But, on the other hand, if there is any attraction in being mayor of Islington, I should let them have it. I should like to see everything and anything that would make the office more attractive—make people rather look to it.

13,671. If you let the chairman be a magistrate, for instance, as he is in the country now. The chairman of the district council is a magistrate?—I think that would be a very good thing indeed.

13,672. Under the Act of last session I am inclined to think that is so.

13,673. (*Lord Farrer.*) I should like to put a question about West Ham that we may have it on the note. West Ham was made a separate corporation a short time before the creation of the London County Council, I think?—Yes.

13,674. Consequently it did not come into the London county?—It was never in the metropolis; it was in Essex always.

13,675. It has grown up, in fact, to a large extent since Sir Benjamin Hall's Act?—Oh, certainly; outside the metropolis.

13,676. The question I wanted to ask you was this: have there not been two or three cases in which there has been inconvenience resulting from West Ham being a separate corporation with respect to drainage?—Oh, undoubtedly; last year we had a great fight with them in the House of Commons about it.

13,677. That is to say, nature has made them one drainage area with us?—Yes, and they have got the right now to pour their drainage into our main sewer, and we have to deal with it and take it away.

13,678. They got very good terms, did they not?—The terms have to be settled with an arbitrator; that has not been settled yet.

13,679. But there has been very considerable inconvenience, has there not, through their being separated?—Oh, certainly; inconvenience to them. *Mr. W. H. Dickinson.* 4 May 1894.

13,680. (*Mr. Smith.*) It rather destroys the symmetry of London, does it not—taking a piece out of it?—Yes, it does. Then, South Hornsey——

13,681. They are within the drainage area, too?—Oh yes, within the drainage area. I think you may take it that West Ham and South Hornsey are practically London for all intents and purposes.

13,682. And, whoever was right and whoever was wrong, West Ham and London were pulling in opposite directions the other day about the water?—They were; yes. I do not know whether you are going at all into those papers that we gave you; at an earlier period of the inquiry we handed some papers in which we have not been examined upon.

13,683. (*Lord Farrer.*) A supplementary memorandum about the county; I have read that very carefully.

13,684. (*Mr. Smith.*) I have read that very carefully.

13,685. (*Chairman.*) We reserve leave to call you again, if we wish?—I shall be very happy to give you any further information that I can.

The witness withdrew.

Mr. John Kemp re-called in and further examined.

13,686. (*Chairman.*) Mr. Kemp, you have prepared a Memorandum on the Metropolitan and City Police?—Yes, I have, of course, only prepared it from the Acts of Parliament that deal with the matter. I do not myself know anything about their management.

13,687. You hand it in for the information of the Commission?—For the information of the Commission.* *Mr. J. Kemp*

The witness withdrew.

(Room cleared.)

13,688. (*Secretary.*) I wish to read the following letter, which I received the day before yesterday from the County Council:—

"London County Council,
"Spring Gardens, S.W.,
"Sir, 1st May 1894.

"The Royal Commission will no doubt remember that the vice-chairman of the Council on the 16th of February, in presenting the proposals for the amalgamation of the City and County of London prepared by the special committee, stated that the proposals had not been communicated to the Council, but that they would be reported to the Council in due course, and any resolutions arising thereon communicated to the Commission.

"I have now to acquaint you, for the information of the Royal Commission, that the Committee reported the proposals to the Council on the 27th of February, and recommended the Council to approve them. Owing to the pressure of other business the report was adjourned without discussion on that day, but at the meetings of the Council on the 6th and 13th of March the subject was under consideration. An amendment was moved,—'That, inasmuch as 'the proposals of the special committee were 'submitted to the Royal Commission before being 'considered and approved by the London County 'Council, and, inasmuch as the proposals thus 'submitted are now under the consideration of the 'Royal Commission, it is inexpedient to discuss 'the proposals in anticipation of the report of the 'Commission; and the further consideration of the 'matter was adjourned until a special meeting on 'the 16th of March, when, after a full discussion, the 'Council divided, with the result that 21 members 'voted for the amendment and 69 against it.' The proposals were then considered seriatim, and no division was taken upon any one of them. In the result, each one of the proposals was approved as printed, with the exception of paragraph 41, in which the Council decided to substitute the word 'should' for 'might' in line four.

"I send you copies of the minutes of the Council containing the report of the proceedings.

"I am, Sir,
"Your obedient Servant,
"H. De la Hooke,
"Clerk of the Council."

"The Secretary,
"Royal Commission on the
"Amalgamation of the City and
"County of London."

* *See* Appendix XVI.

TWENTY-EIGHTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Thursday, 7th June 1894.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

Dr. G. B. Longstaff, M.A., M.D., F.R.C.P., D.PH.

7 June 1894.

Dr. GEORGE BLUNDELL LONGSTAFF, M.A., M.D., F.R.C.P., D.PH., a Member of the London County Council, called in and examined.

13,689. (*Chairman.*) You are a member of the County Council?—Yes.

13,690. And you have been a member of the Building Act Committee of the Council since the Council came into existence?—Yes.

13,691. You were not a member of the Metropolitan Board of Works?—No.

13,692. You were a member of a local district board?—Of the district board, yes.

13,693. The Wandsworth district?—Yes.

13,694. And you are now the Chairman of the Building Acts Committee?—Yes, I have been since November 1891.

13,695. You are aware we have had some evidence before us as to the expediency of remitting to the local authorities the administration of certain matters now conducted by the County Council in reference to the Building Acts?—That evidence has been communicated to me, and I have read so much as refers to this particular matter.

13,696. What is your general view of the division of powers between the central body and the local body?—I think it is right I should say that, generally speaking, if I have a prejudice, it is in favour of the local bodies; I think it is desirable that their work should be made as important as possible, and mainly for the reason that it is important to attract the best men that can be obtained to do the work. In proportion as their power is increased, they will be likely to get good men; in the second place, I know full well how very much the County Council is overworked, and how very much the particular department which I have charge of is overworked; I think that any evidence I have to give should be viewed from the point of view that that is my general opinion.

13,697. You think in the interest of the Council it is desirable that it should be relieved of administrative work in some instances?—Where there is reason to believe that such administrative work can be equally well performed or better performed by other bodies.

13,698. Possibly retaining a control on the part of the central authority?—I think that generally speaking some sort of central control would be requisite. For instance, any byelaw-making powers should be reserved for the central authority. In addition to the byelaw-making power I think it is desirable that the Council should have power of making certain regulations somewhat more elastic than byelaws which might deal with questions of interpretation, where there were difficulties of interpretation of an Act, laying down the mode of intrepretation to be adopted, and certain general guiding lines or principles upon which decisions should be carried out.

13,699. Where you arrive at a conclusion in favour of retention of power by the central authority it is a matter of conviction of intellect against a possible feeling the other way?—Yes.

13,700. Well now, in entering upon details, what is your view as to the authority which should control the formation and width of streets?—This is what I consider one of the larger matters that come under the Building Acts, and I should say that when I use the words Building Acts, I must be held to include thereunder those portions of the Metropolis Management Acts which are managed by the same Committee of the Council that manages the Building Acts, and which have been similarly managed by their predecessors; they are so closely interwoven, that though the Acts are different, the Council has always looked upon them as one. In reference to the formation of streets, it appears to me that the central authority is the body best calculated to take a general view of the whole matter. Streets often extend over more than one area, and then if there were separate authorities there would be difficulties, and we know that difficulties do, in fact, arise where there are differences of areas. Then as regards the width of streets, I think experience as shown that it is very desirable that that should be in the hands of the central authority. The matter has to be looked at as one of general principle. It now chiefly arises in the question of whether under the terms of the Acts a 20 feet footway shall be allowed, or a 40 feet street shall be insisted upon, or the less common instance of a street something less than 40 feet being allowed. It appears to me that the general principle is best carried out in the interests of London by a strong central authority.

13,701. All this has reference to new streets?—Yes, and a few old streets. The local authority is sometimes influenced by the question of the cost of paving; the narrower the street the cheaper to maintain. In certain cases that might be a powerful argument, and the local authority might accept a narrower street, contrary to the public interest. The argument would apply with even greater force in the administration of the power given by the Bill now before Parliament (which provision has been passed by the Committee of the House of Commons), to insist upon a greater width—up to 60 feet in certain cases. The local authority is always considering the question whether or not a certain proposal would increase the rateable value; they are always anxious to place the largest number of buildings and the largest buildings upon the land with the view to raising the rateable value, a question which the central authority does not consider at all. Then I have put as a sub-heading to that question, "Building within the prescribed distance," which is a very technical point, closely connected with the formation of streets, that is, the preventing of narrow streets being further narrowed, and that for the same reason, it appears to me, should be regulated by the central authority.

13,702. Just explain more what you mean by that "building within the prescribed distance"?—Well, where a street,—it being assumed that the regulation width of a street is 40 feet,—where an old street or an old way, not exactly a street, exists, let us say, for the sake of argument, 30 feet in width, you are not allowed, as the law now stands, without the sanction of the central authority, to construct a building nearer than 20 feet from the centre of the street; that is to

say, in the case in question you would have to set that building back 5 feet, so as not to encroach upon a possible 40 feet street that might hereafter be constructed.

13,703. (*Lord Farrer.*) When a new building is erected?—When a new building is erected.

13,704. (*Chairman.*) Or when you are reconstructing an old building?—Then you have certain powers of restriction. It appears to me that exemptions, if any, to the general rule to forbid such structures should be dealt with on an even principle all through London. Considerable pecuniary interests are sometimes involved, and there is far less liability to injustice if a general—not perhaps a cast-iron rule, but a general prevalent—traditional principle is carried out throughout the whole area.

13,705. All this may be said to be a determination of the principles which guide the creation or re-adjustment of streets?—This is so.

13,706. It is in the nature of a law you are laying down?—Well, hardly so. The principle is laid down by the law, and it is found convenient. I venture to say it is necessary in the divers conditions that there are in London (though I believe the Home Secretary holds an opposite opinion), I venture to say that it is in every one's interest that certain discretionary powers should be allowed to the central authority. Now and then exceptional instances occur in which it is not desirable to enforce the letter of the law.

13,707. I was not using the word "law" in the technical sense as something prescribed by an Act of Parliament; I was distinguishing between the law which governs general cases which might be laid down by the County Council, and the administration of the law, that is, seeing that it was locally carried out, or seeing that it was locally enforced?—Yes.

13,708. You are dealing rather with the principles which the County Council should lay down, and it might be that the watchfulness to see that all these principles were observed would rest more with the local authority than the central authority?—Well, I venture to think that it is a question of individual instances, and that the individual instances must each one be considered, and that it is not expedient in many cases to have even what I might call an unofficial written law, not expedient or possible to write down a regulation, but when you have a staff of great experience, such as our staff is, that has gone on for a number of years, as a matter of fact we are able to deal substantial justice over the whole of London, instead of having one unwritten principle of exemption in one place and another in another. Constantly the question arises, say, for example, a Fulham man makes a certain application; it is possibly supported by the members of the Council representing Fulham, but we immediately say we dealt in such and such a way with a Poplar man last week, and in such and such a way with a Southwark man the week before, and we consider that the same principle should apply throughout. That enables us to carry out the law with a much stronger hand, and at the same time with more even justice than I think would be done over a smaller area. The same argument would, of course, apply to many other sections of the Bill; I need not repeat that.

13,709. Then have you anything to tell us as to the lines of building frontage?—The lines of building frontage are very important, inasmuch as large pecuniary interests are involved. You are not now allowed, without the sanction of the Council, to bring your buildings beyond the general line of building, wherever that may be, it may be many feet back from the street or it may be only a few feet. This question was by the Act of 1862 left in the power of the administration of the local authorities. It was found that such very unfortunate results came about, that in 1882, in consequence of representations made, I believe, by members of the local authorities, not members of the Metropolitan Board of Works, but that I am not quite certain about; at all events, in consequence of a general feeling the Legislature in 1882 gave the central authority concurrent powers with the local authority.

13,710. (*Lord Farrer.*) Concurrent powers; does that mean that their consent was necessary as well as that of the local authority?—No, my Lord, they had concurrent powers to take proceedings against people who broke the law. No proceedings can be taken until an offence has been committed by the actual erection of a building contrary to the law, or at all events until a certain number of bricks have been laid. Well now, when the Council took over this work it was thought best, it was thought courteous and perhaps judicious, to give the local authority in every case the option of taking proceedings first, but (what I have to say is rather a delicate matter, you will excuse me if I do not name the districts), in a certain district the local authority undertook to take proceedings against a certain building which was beyond the line of frontage, and in a certain other district in a diagonally opposite part of London, an exactly similar case occurred. It was a case of bringing out a shop to a little villa; a shop was brought forward contrary to the Act of Parliament. In each case the local authority commenced the proceedings. There were certain legal delays, and in each case it so happened that the local authority was reconstituted by an election shortly after the proceedings commenced; in each case the applicant for the building became a candidate and succeeded in carrying his election as a member of the local authority; in each case certain further legal delays and adjournments took place from time to time, and in each case the local authority which had started enthusiastically to prosecute the applicant withdrew from the proceedings, and in each case, when this result had been achieved, our solicitor informed us that the six months by the local statute of limitation had expired, so the central authority could no longer take proceedings. In consequence of these two instances, which occurred within a very few months of one another, the committee resolved to advise the Council in every case to institute proceedings itself, and the Council has done so, with the exception of one or two authorities in which they have great confidence, as they know that those particular authorities feel very strongly upon the question of building beyond the line of frontage. I should like to say that the authorities differ very much indeed in what I may call their traditional policy; in the one case you have a traditional policy for carrying out these laws rigorously and they take a pride in doing it, and in another case they look from another point of view, the increase of the rateable value, or "why interfere with a man's doing what he likes with his own," or something of that kind, and they take a much narrower view of the Acts. It seems to me essential, having been proved by experience, that this matter should be dealt with by the central authority.

13,711. Do not people, as a matter of fact, apply to the Council for leave to build beyond the line?—That is so.

13,712. That is in order to prevent subsequent proceedings?—That is in order to prevent subsequent proceedings.

13,713. But that is the form which it generally takes?—That is the usual form, almost the invariable form.

13,714. Have you ever known a case where the central authority has been willing to grant the permission and the local authorities wished that it should not be granted?—I think there have been some very small cases, and that is a point that I meant to have alluded to under another head.

13,715. Very well?—But the petty official is apt to be more tiresome in his pedantic carrying out of the law than a central official.

13,716. But I am now speaking of a very substantial case, because I remember a case in Marylebone?—I think you alluded to it in your cross-examination of another witness; that was long before my time.

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13,717. It was long before the County Council came into existence, where the Metropolitan Board of Works permitted an encroachment on the new road against which the Marylebone Vestry most stoutly protested?—I can only say that my Committee is unanimous in considering the policy of the Metropolitan Board of Works in allowing shops to be brought forward was a very bad policy.

13,718. A very bad policy?—Our tradition has changed in that respect.

13,719. That would not happen now?—Not with the present feeling either of the officials or of the Committee. Of course you are well aware that this is very largely in the hands of the Committee; it must necessarily be so.

13,720. There has been a certain permanence of policy since the commencement of the Council?—Since the Council began there has been a continuance of policy.

13,721. Do you not think that policy would be strongly taken up and always has been by the Council itself?—Oh, I think so, very strongly indeed; and I think that the Council would show, and has in the past shown, that it would tend to over-rule any local attempt to upset the decision of the Council. We have had instances, we have had an instance recently in which this very thing was attempted again, and the local people came forward and they wanted the buildings to be brought forward; a less conspicuous case than the Marylebone Road but one on all fours with it *mutatis mutandis*. There the local authority wanted to increase the rateable value; they wanted larger buildings. We held out; certain members of the Council tried to influence us and I think the majority of the Council strongly backed us up in the line we had taken. The consequence was that we resisted them. The local authority will get their new buildings and their improved rateable value just the same, but they will be five or six feet back from the street.

13,722. (*Chairman.*) As I understand each authority has power to prevent this encroachment, the local and the central?—That is so; they cannot come forward without our consent, but if they do come forward without our consent, either party can prosecute.

13,723. In fact each has got a veto?—Each has got a veto; well not exactly, I think that is not quite so, because if we consent the local authority can do nothing, only if a building is erected without our consent. Suppose for the sake of argument, that in one of those fore-courts opposite us a man constructed a one-storey shop without coming to us at all, that would be a case, a breach of the law; we could take proceedings or the local authority could take proceedings. But if that man came to us and obtained our sanction the local authority could do nothing.

13,724. You overrule the local authority?—We overrule, but we always in every case of this kind, invariably, consult the local authority; the plans are sent to them, they have an opportunity of submitting their views, which views are always considered.

13,725. Theoretically, though it may never practically happen, theoretically what Lord Farrer called attention to might occur again?—Oh, undoubtedly, but the local authority could not allow such coming forward against our wish.

13,726. You could prevail?—We could prevail, yes; that is so.

13,727. (*Lord Farrer.*) But your view is that the central body, the London County Council, would be less liable to be influenced by local motives, and more likely to adhere to a general policy in the matter, than the local body?—That is very strongly our opinion. You will of course remember that the Metropolitan Board of Works were delegates from the local authorities, and somewhat differently constituted. I think there is a very strong feeling on the Council, a desire to do everything that makes London a grander and finer city, a feeling which I do not think always animates a local authority.

13,728. (*Chairman*). A great indisposition to see it crowded up?—That is so, yes, and then the County Council attaches value to what are commonly called æsthetic considerations in a way that I do not think the local authorities do: they say they like a fine street and a fine building. If a plan comes forward for a fine building with a good *façade*, we find that the central authority is less likely to stickle about little architectural ornaments, and so on, which these local authorities often object to. We find constantly that the leading architects much prefer to be dealt with by the central authority rather than by the local authority.

13,729. (*Lord Farrer.*) And I think you find that feeling amongst some of the most extreme of our Progressive members, as strong as amongst what you may call the representatives of the richer classes?—Well, I am not aware that I have any means of saying one thing or another.

13,730. I mean it is not confined to one party in the Council?—I fancy not; oh, I think not at all, but I was especially thinking then of the architectural profession, which is much concerned with this matter, that they greatly prefer to deal with the central authority rather than with the local authority.

13,731. They do, do they?—Yes, because the central authority takes a proper view of the thing, and distinguishes between that which is a technical infringement of the law and that which is an essential infringement in the public interest.

13,732. (*Mr. Smith.*) And I think you have said there is a strong tendency on the part of the Council to preserve everything in the nature of an open space?—That is so; very strong indeed.

13,733. (*Chairman.*) As to numbering and naming of streets?—Well, I have read the evidence given on that point. It appears to me that as regards naming there can be no question that the central authority must be responsible for the names. Such an important matter as the fact of publishing a list of the alterations every year as we do could not be done by 30 different authorities; it must be done by one; one authority can correspond with the Post Office, which is the Government Department most interested in this matter, 30 authorities could not well correspond with the Post Office. Then we have to consider between the questions, one of the most difficult ones we have,—there being perhaps 30 Church Streets, 15 Edward Streets, 25 John Streets,—which is the more suitable one to have its name changed. That could only be done by a central authority balancing the various matters.

13,734. In the case of naming new streets you always ask for a suggestion from the local authority first?—We always consult them in the case of all changes; I do not think in the case of new streets we do, but in the case of changes we always consult them, and we do not make the change until we have come to terms with them.

13,735. (*Lord Farrer.*) Who first suggests the names of new streets?—In the case of a new estate, usually the proprietor of the estate or the builder is in correspondence with us, and that often leads to the owner's name and local names.

13,736. (*Chairman.*) Does not the local authority hear of it?—In the case of new names I do not think they do. In the case of entirely new streets—it is usually a question of what you may call laying out prairie—and there is no interest in it at the time except the interest of the proprietors, and as long as the name is not in use, or similar in sound or spelling to a name in use in the neighbourhood, we allow anything.

13,737. It facilitates smoothness of working if you make the local authority the compliment of mentioning the names proposed?—I do not think we have found the slightest friction in the case of new streets; it arises in the case of re-naming old streets, and of course we should consult them in the case of a new

street through an old neighbourhood. If a street were going through this building it might be expedient to consult them, but that is an exceptional case. Then as regards the numbering I would merely remark that we keep a register of the numbers for legal purposes, which is frequently consulted by the buyers and sellers of property. It is a matter of great importance in a given King Street for example, to identify the house numbered 27. The present number 27 is the house which was number, we will say, 35 up to such and such a year, and which was previously known by a different number. All that is recorded by us, and I venture to say very much more conveniently recorded in one central office with which the conveyancers in London are familiar, and to which they can get access.

13,738. Is that record easily accessible?—Oh, yes.

13,739. Historical students can resort to it?—On application they can.

13,740. (*Lord Farrer.*) I do not think we have any room for historical students?—They have to put up with very scanty accommodation, as Lord Farrer says, but from the legal point of view, you see it is very important that a register of the numbers should be kept. We always consult the local authority in the case of re-numbering—in fact, the applications to renumber come from the local authorities.

13,741. (*Mr. Smith.*) Would those numbers go back to the date of the institution of the Metropolitan Board of Works, or previously?—I am unable to tell you that, but I should imagine they would go back.

13,742. I ask the question in the interest of future historical students, how far they might go?—I should think you would find that they record all alterations made by the Metropolitan Board.

13,743. I should apprehend it would be from the commencement of the Metropolitan Board?—Yes.

13,744. (*Chairman.*) I found a student the other day musing before the wrong house of Mr. Carlyle?—Is there not yet a plate upon his house?

13,745. Yes, there is, but he had got the wrong house. Now, about open spaces about buildings?—At present the law as to open spaces about buildings is a very simple one, and comes well within the cognisance of the District Surveyor, but you are probably aware that the Council has a Bill before Parliament at the present time which deals somewhat drastically with this question, and has necessarily to deal with it in a somewhat complicated manner. If that Bill or anything like it should become law, the question of regulating open spaces about buildings would be much more complicated than it is at present, and it has appeared to me, on considering the question, that it is a matter which might very properly and well be dealt with by the local authority, and taken cognisance of by them at the same time, and by the same officials that take cognisance of the drainage. It is purely a question of measurement, it is not a question of construction, and it appears to me that the local surveyor and the local medical officer of health might very properly administer those provisions with advantage, in which case it would probably be desirable that the County Council should from time to time issue regulations of an administrative and, as I venture to say, of an interpretative character, to say how certain clauses should be interpreted in certain exceptional cases. You are aware, sir, of course, that the greatest difficulty in London in this matter is that there are so many different houses, so many different buildings, different widths of streets, so many different sizes and shapes of premises, and so on, which make it impossible, I venture to say, to devise clauses which would be applicable to every case. In practice we should very soon find that the exceptions would group themselves, and then it would probably be possible from time to time for the Council to issue general regulations for the guidance of the local authorities.

13,746. (*Lord Farrer.*) Does the Bill which is now before Parliament provide for that?—No, it does not, but I do not suppose that there would be any great difficulty in any Bill changing the government of London by a few short clauses to transfer those powers. We did not consider it, in introducing that Bill, any part of our duty to transfer any powers, but there is one power that it is quite possible we may suggest the transfer of.

13,747. (*Mr. Smith.*) Does the Bill which you have now before Parliament provide for any discretionary power?—Yes, in some cases it does.

13,748. Of course without a discretionary power there is rather a difficulty in going against your own byelaw or regulation?—There are many difficulties in connexion with discretionary power; there are what I may call intellectual difficulties, and there are moral difficulties.

13,749. There is a maxim that the law should be certain?—That is quite so, but, with all deference to the maxim and with all deference to the present Home Secretary, I venture to say that if you are to regulate buildings in London there must be a discretionary power, otherwise any byelaws to be made rigid would be very scanty.

13,750. I quite sympathise with your view, but as a lawyer I am bound to agree rather with the Home Secretary that the law should be certain.

13,751. (*Lord Farrer.*) I do not know whether you are aware that the byelaws issued, or regulations issued, by the Local Government Board and adopted by local boards in the country have been productive of a good deal of friction in various cases?—That has come to my personal knowledge.

13,752. That has come to your knowledge?—That very great hardship has resulted in certain cases when certain buildings have been restricted in ways which the local authorities themselves did not desire, but they pleaded *non possumus*.

13,753. And rules, for instance, that may be very well in the streets of a crowded town, have been applied to buildings in the country where they are totally inapplicable?—Yes, but generally the reverse.

13,754. Very often the reverse, it may be?—Yes. In fact, the same thing has occurred under the existing law in London, that there are certain clauses in which we have no discretionary power, where an applicant has come and asked for a thing, and we have said, "Well, we quite agree with you, but we have no power to grant it." No doubt, hardship has resulted, and I venture to think unnecessarily.

13,755. (*Chairman.*) Have you a similar opinion about the height of buildings?—The height of buildings is naturally closely akin to the open space about buildings; but here I venture to think that any exemption to the written law should be dealt with by the central authority. I think that that is one of those cases in which very strong local pressure might be brought to bear, and in which there would be a constant desire to increase the rateable value, if I may say so, at the expense of the interests of the community. The point is that in the smaller district the builder or owner of the estate might be an influential person; at Spring Gardens he is probably unknown. That makes a great deal of difference. Without going into detail you see what is implied by that; we have ample evidence that that is so.

13,756. Does your experience refer to small areas or areas of middle size; local authorities have now areas of extremely divergent sizes under their control?—I do not know that I can say very much about that, one way or the other. It is possible that with a new electorate results may be different, but even in the largest districts the local government is very often a very hole and corner affair.

13,757. It is an invidious question to ask with regard to the largest, of which you were at one time a member—Wandsworth?—I hope I shall not be accused of any egotism when I say—I will put it this way—when I got to Spring Gardens I found that the officials of my department considered that the Wandsworth District Board was one of the best of the local authorities in reference to the administration of these Acts. Of course that is a very large area and the different parishes are far separated by the commons

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and by railways, and one thing and another, so that the board is something like a central authority. It would be difficult for a Streatham man to influence a Putney man or *vice versâ*, but that particular board has an extremely good tradition.

13,758. And a very large area?—A very large area; I think the largest or almost the largest.

13,759. (*Lord Farrer.*) You have mentioned two or three times that the local board is influenced by a desire to increase the rateable value. They are also liable to be influenced by a particularly powerful or rich man in the district, I suppose?—Yes, both are true.

13,760. Both these things are true?—Both are true, and both influences are bad influences.

13,761. (*Chairman.*) Now, I think, you come to a matter which, perhaps, is more debateable, as to the construction of buildings?—This, as you say, is a very difficult question. The construction of buildings is now mainly in the hands of district surveyors, and the new Bill, if it should become law, will leave such construction still more in their hands.

13,762. The phrase "district surveyor" is a little unfortunate; the hasty reader would suppose that is a local authority?—That is so; the district surveyor is an official who has come down to us from 1844—in fact, I think before that; I think from the last century, dating from the time when there was no central government in London. The district surveyors are statutory officials who are appointed by the County Council, who are subject to dismissal by the County Council, and the County Council has a sort of vague control over them, but they act under a statute. It is their business to see that the statute is carried out, and on issuing their certificate that the statute has been carried out in the case of the individual buildings they are entitled to statutory fees paid by the builders, and I may say that last year those statutory fees amounted in round number to 40,000*l.*

13,763. (*Lord Farrer.*) Amongst them all?—Amongst them all. There are 70 of them. I give round numbers. There are 70 district surveyors, and their income now is something like 40,000*l.*; and in whatever way the work is done there would have to be an official analogous to the district surveyor, that is to say, London would have to be broken up into districts which would have to be under the control of special architects; and I would remind the Commission of one thing in which the district surveyor differs from the local surveyor. The district surveyor is necessarily a highly trained architect who has by statute to pass a certain examination held by the Institute of Architects; and younger members of the profession from time to time pass this examination; and when the Council makes an appointment it has to make a selection out of such of the qualified candidates, 10 or 12 or more, as from time to time offer themselves. The local surveyors are the most diverse people which it is possible to imagine. Some of them are engineers, some few of them may be architects—surveyors in the wider sense of the word; but many of them are merely road surveyors, men who by force of character have pushed themselves forward and gradually risen in the world, but have had no technical education such as an architect is required to have who fills the post of district surveyor.

13,764. They are the servants of the vestries?—They are purely the servants of the vestries.

13,765. Not statutory officers?—Not statutory officers. But I wish to call attention to one thing; there is no question of it being possible to transfer those duties *en bloc* from the district surveyors to the local surveyors because they are a totally different set of men, very few of whom probably would be competent. Well, when I say that the matter will be more in their control in the future than now, it is only to this extent that there are a number of things now which cannot be done without the consent of the Council. My committee has grouped and classified those things for some time until we have found out that there are certain things which if they comply with certain conditions we always grant, and there are certain other things which if they go beyond a certain degree we always refuse, and there is an intermediate class. Now as far as we can, all those things that we always grant, which include probably the majority of the applications, we have provided for in the Bill so that they shall be automatic and people shall not be bothered to ask us for them. There are some things which must be dealt with by the central authority. You are probably aware that a building is not allowed in London to exceed a certain cubical extent, that is to say, if you want to make a very large block of buildings it must be divided by party walls. This is entirely a fire provision, and by a power which the County Council took in 1890, I think, they have power to modify this and allow a larger building than the Metropolitan Board of Works could allow. It was found to be necessary in consequence of the changes of manufacture, and this dispensing power is granted subject to the approval of the chief officer of the fire brigade. Now, clearly the chief officer of the fire brigade could not be at the disposal of the local authorities nor could they have any analogous opinion, therefore it appears to me that that must be a central duty. Then the district surveyor has very special powers in respect of public buildings. In regard to the ordinary building in most cases all he has to do is to see that it complies with the letter of the Act, with certain small discretionary powers as to structural details, but in regard to public buildings he has almost an absolute authority. He can go in and interfere in respect to staircases, to passages, and strength and solidity, and so on. He has very great powers indeed, and it appears to me that if other matters were handed over that this control of public buildings is a matter for the central authority. That is a question where it is especially important to have an architect of experience.

13,766. (*Chairman.*) What is the definition of "public building"?—Well I cannot tell it you at the moment, but theatres, concert rooms, public libraries, &c. It is a definition *per enumerationem*, and I think according to the new Bill, hotels over a certain size—such a hotel as this, not such a building as a single house opposite. The question of the possible transfer of jurisdiction here is very difficult. I do not myself see that any possible advantage would accrue from the transfer, and I see a very distinct disadvantage. I have said so much about the district surveyors that I may as well say here the rest of what I was going to say about the district surveyors. They must hold their appointments independent of the local authorities, as the medical officers of health do. Of course the local authority should have power to make representations against them, but clearly if the district surveyor were subject to dismissal by the local authority the law would not be carried out in many districts. Then it is a great advantage, their being under a central office, for this reason, that building goes on continually throughout the year and must be continually supervised, constantly. There are continual vacancies to be filled owing to bad health, holidays, and so on; there is continually the providing of one man to do another man's duty. The central authority which has them all in touch can do that with very great convenience and with very little delay. Then if any question as the fees arises uniformity is secured, because the fees are all supervised by the superintending architect. Then it is a very great advantage that all these gentlemen, who, you will remember, are highly trained professional gentlemen, are under the supervision of a specially selected officer, the superintending architect, who has had similar training, who usually has been a district surveyor himself, and who is able to adjust difficulties on various points that arise as to administration, as to the exercise of discretion, and so on, in a way that would be extremely difficult for a local authority to do.

13,767. Is he a statutory authority?—He is a statutory authority.

13,768. (*Lord Farrer.*) The architect?—The architect is a statutory authority.

13,769. The architect of the Council?—Yes, that is to say, as architect of the Council he is an officer of the Council.

13,770. Yes?—But as superintending architect he is a statutory authority.

13,771. He is a statutory authority?—He has statutory powers, yes.

13,772. Can he act independently of the Council?—There were certain matters with reference to the defining of lines of frontage in which prior to the General Powers Act of 1890 he was entirely independent. That provision was introduced at the suggestion of Sir John Hutton when he was Chairman of the Committee I now preside over. The superintending architect had absolute power of deciding what was the line of frontage—now there is an appeal.

13,773. To the Council?—To the appeal tribunal—the Act constituted a tribunal of appeal.

13,774. The Council having no power to give him directions on the matter?—No, not in that particular matter.

13,775. And do these matters come before the Building Acts committee?—Yes, his decisions come before the committee—we can call upon him to make decisions, but then we put him in operation as a statutory officer, we have no control as to how he makes these decisions.

13,776. You can call upon him to make a decision?—We can call upon him to make a decision.

13,777. You cannot tell him what his decision ought to be?—No.

13,778. Or find fault with it?—No, he is an independent officer.

13,779. (*Mr. Smith.*) I see he is forbidden to practise or follow any other profession?—That is so.

13,780. By the Act?—That is so.

13,781. (*Lord Farrer.*) While we are upon that subject of the district surveyor, a question has arisen, has it not, whether the whole status of the district surveyors ought not to be altered, and whether they ought not to be distinctly officers of the Council?—That has been raised; that question among many other questions, your Lordship probably remembers, was raised when the Council first came into existence. There was a very strong feeling that the whole system should be altered. It was very carefully inquired into by a special committee of the Building Act Committee, in which, if I may be allowed to say so, the Progressive element was strongly represented. Ultimately, it was decided to issue a circular to all the professional bodies concerned, the Institute of Builders, the Institute of Architects, the Surveyors' Institution, and to certain other bodies. They all appointed committees, which all reported to us, and the reports were all of a very valuable character; and ultimately the committee, including, at all events, most of the would-be reformers, were quite convinced that it was undesirable to alter the arrangement, although it is an anomalous arrangement; that there were certain advantages in it and it was considered desirable to leave things as they were.

13,782. Is there any complaint or suspicion that anything wrong ever goes on between the district surveyor and builder?—There have been such complaints, and I think that there is no doubt that such things have gone on in the past. We always investigate very jealously any complaint which comes before us. The last one resulted in a libel action in which the informant found he was completely wrong in all his statements and had to apologise in open court.

13,783. Has the Council power to dismiss a district surveyor?—It has power, without giving any reason.

13,784. Without giving any reason?—The statute says nothing about giving reasons.

13,785. So that in that way the Council has some control?—It has control. It is looking very closely into the operations of one district surveyor now.

13,786. (*Chairman.*) Has the question of the remuneration of these surveyors been looked into by your committee?—It was, and it was resolved to leave things as they are.

13,787. (*Lord Farrer.*) The district surveyor receives his fee directly from the builder?—The district surveyor receives his fee directly from the builder.

13,788. Is there any suspicion—I mention this because I have heard it mentioned—that he receives more than his fee?—It has been alleged; of course the fees that he receives are all audited by the superintending architect.

13,789. They are audited?—They are. It is the statutory duty of the superintending architect to supervise the fees, and a case arose lately in reference to a district surveyor within the City of London,—the Commissioners of Sewers are the authority in reference to the particular matter of dangerous structures in the City, (but the fees are still audited by the superintending architect),—and he found the district surveyor had charged fees which he had a sort of technical reason for, but which we came to the conclusion were distinctly wrong, and after certain correspondence with the Commissioners of Sewers that gentleman was removed from that portion of his office.

13,790. If I understand you there are certain statutory fees?—That is so.

13,791. And the district surveyor at the end of the year, or whenever it is, sends in his account to the superintending architect?—Once a month.

13,792. Of what he has done, and what he has received?—Yes.

13,793. But is there no suspicion that anything passes between the district surveyor and the builder independently of these fees?—That has been alleged frequently.

13,794. There is no means of checking that on the part of the Council or on the part of the superintending architect?—Now I say that there are no means. I instanced to you one case. My attention was called to it by a member of the Council, and while I was making the inquiries these libel proceedings took place and it was proved to be—I think there was no question about it—a totally unfounded case.

13,795. (*Chairman.*) But if it existed it would be between the builder and the district surveyor, and each would keep the secret?—It would be most difficult to ascertain of course.

13,796. (*Mr. Smith.*) Would it be possible to reduce the number of the district surveyors, do you think?—We are doing that as fast as we can.

13,797. And might it not then be possible to have the same provision that exists with regard to the superintending architect, that they should not practise?—That has been done now, but that is very strongly objected to by all the people who have to do with buildings, and it is for this reason—the district surveyor has to deal with other architects in the case of the larger buildings, and if you have the restriction principle you get young men who have more or less failed to get on in their profession coming into this particular line. After they have been 10 or 20 years district surveyors it is alleged that they will know nothing practically and personally and in a responsible manner of all the alterations and improvements which have taken place in building in the interval. You are, of course, aware that the alteration in building construction has been very great within the last 20 years, and is very rapidly changing. That is a great difficulty that this department has, and it is felt that if you have a man who is an official he becomes as it were crystallized, and it is very difficult for him to deal with an architect in a responsible manner; but now he has to deal with an architect (as regards all the older appointments), who is himself engaged more or less continually in his profession, and he knows what the difficulties are, and he is able to sympathise with them and treat them in a more reasonable manner; and it is alleged by architects and by builders that the majority of the provisions of the Building Act, which are simply a question of inspection and applying a two foot rule, can perfectly

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well be carried out, as they were carried out, and are now carried out by the older officers, through the mediation of an assistant, but the point that cannot be carried out by an assistant is when a serious difficulty arises, especially in the construction of public buildings, or of large buildings, or of unusual methods of construction. Nevertheless the Council resolved upon this principle: that all new district surveyors should be restricted from private practice, and that has been consistently carried out to the present time, and several appointments have been made on these conditions.

13,798. Notwithstanding the arguments you have used?—Notwithstanding the arguments—and simultaneously there has been a feeling—those on the Committee who disagreed with that policy succeeded in convincing the majority—that it is necessary to increase the value of the appointments so as to make a counterbalancing attraction to get good men into the service, and therefore we fully see the wisdom of what you say, of reducing the number of the surveyors, and we are doing so.

13,799. I mean with the view of increasing the emoluments and making it a good appointment?—Yes, that is so.

13,800. (*Lord Farrer.*) I press this point, because we had exactly the same question at the Board of Trade with regard to the survey of passenger ships. In the early days the Board of Trade adopted nearly the same practice as the Council do of appointing the best surveyors they could find at the ports. Well, it was found that that was open to a great many objections of different kinds, and after a long experience it was resolved by the Board to form a staff of their own. The Board has a very large staff of Board of Trade surveyors, who are entirely the servants of the Board of Trade, and who according to the Board of Trade directions, do the best they can to keep in touch with all the improvements of the trade, which are, of course, as great in the building of steamers as in the building of houses?—Oh, quite. I must ask you, Mr. Courtney, to take any further evidence of mine at another time. The hour of 12 has struck, and I am responsible to the Council for the carrying on of a Bill in the House of Commons.

13,801. (*Chairman.*) Will you be there all day?—Till 4 o'clock, I am afraid.

13,802. Your evidence has been very interesting; I think we must have you again; can you come to-morrow at the same hour—at 11 o'clock?—Yes, I can do that.

The witness withdrew.

Mr. W. J. Fraser.

Mr. William Joseph Fraser, a Member of the Vestry of St. Anne's Soho, called in and examined.

13,803. (*Chairman.*) Will you tell us, Mr. Fraser, what position you occupy, and what has been your experience with reference to municipal matters?—Yes. I have been a vestryman of St. Anne's, Soho, Westminster, since 1868 continuously, and a member of the Burial Board of that parish, and a Guardian of the Poor representing the parish of St. Anne, in the Westminster Union, since 1868, and Chairman of the Board since 1884 up to the present time. I was also for some three years a representative of the parish of St. Anne on the Strand District Board of Works. I have also been solicitor to the Guardians of Lambeth since 1867; solicitor to the Assessment Committee of the St. George's (Hanover Square) Union since about 1872, and I acted as solicitor to the Guardians since 1873. I was a member of the Corporation of London, being elected by the Ward of Bread Street, for ten years, from May 1881 till December 1891; and I represented the Corporation of London on the Municipal Corporations Association during the years 1890 and 1891. I may mention that I am a Director of the Lambeth Waterworks Company, and have been so for six or seven years. I have filled other positions in church matters, and so forth.

13,804. You ceased to be a Common Councillor on St. Thomas' Day, 1891?—1891—Yes.

13,805. Did you stand then?—No. There was a feeling in the ward that it was desirable to have a change in the constituency. I had not a very large office; I was not a large ratepayer in the ward; and I came to the conclusion that the change was rather aimed at myself than otherwise, so that directly it was notified to me that this change was desired, I told the constituency that as it was by their favour that I had been their representative for ten years, I had no wish to occupy the position except it was their desire I should do so, and I intimated to the constituency that I would retire, and I seconded the gentleman by whom I was succeeded.

13,806. Were there many contests during your period of service?—Not one contest, no.

13,807. Ten years without a contest?—Ten years without a contest.

13,808. I see you are a liveryman of the Company of Skinners?—A liveryman of the Worshipful Company of Skinners.

13,809. With these qualifications, what is your view of the best form of local government for the metropolis?—I have no hesitation in saying that I think that the various districts outside the City of London should be formed into genuine separate municipalities with a mayor, and aldermen, and common council, and I have have been of that opinion for many years past; and I think a Bill was introduced by Lord Elcho, or somebody else, into Parliament about the year 1878 with that view.

13,810. Would you have a municipality for the whole metropolis over these?—No; I should form one general body to decide and determine questions which were common to the metropolis, and I should have that body composed of the Lord Mayor of the City of London as the head, with the mayors of the other municipalities, and with certain elected representatives from those municipalities; and if it was thought necessary——

13,811. (*Lord Farrer.*) Elected representatives?—Elected representatives.

13,812. Elected by whom?—By the representatives of the different municipalities; but if it were thought desirable that there should be direct representation as well, I should be quite prepared to have one representative elected by the ratepayers of each parliamentary division or each separate municipality.

13,813. (*Chairman.*) By preference you would go back to the principle of the Metropolitan Board of Works?—Undoubtedly, on an extended scale; because the work has grown since then. The Metropolitan Board of Works would not now be sufficiently strong numerically to discharge all the functions which the London County Council exercise. My experience is that a large body prevents jobbery and corruption or any malfeasance or misperformance of duty, but that too large a body is a mistake if you want to have effective local supervision.

13,814. You are of course aware that this would go back upon the policy of Parliament and reverse it?—I have no hesitation in saying that I think the constitution of the London County Council was a mistake, and that the Local Government Act, as far as it related to the Metropolis, was an ill-considered measure altogether; and I think that is proved in this way—that when that Bill was first framed it was proposed that there should only be one representative from each parliamentary division. During the progress of the debate, quite as a concession, Mr. Ritchie, the then President of the Local Government Board, conceded that there should be two representatives. It is perfectly obvious that if the powers and duties which have become entrusted to the London County Council had been fully and fairly considered, it would have been obvious

from the first that that representation from each parliamentary division was quite inadequate to discharge the duties entrusted to the London County Council.

13,815. (*Mr. Smith.*) But Parliament in its wisdom amended it?—Yes, Parliament in its wisdom amended it. But the authors of the measure, who were in fact responsible for it, considered that the powers and duties thereby conferred could be adequately discharged by the body to which it was originally proposed to entrust them. I believe that by the Bill, as it was originally framed, it was proposed to form county councils for districts outside the metropolis only, and that the provisions relating to the metropolis were thrown in after the Bill was framed.

13,816. You refer that to a want of prevision and knowledge on the part of the authors of the Bill?—Undoubtedly, yes. And it is justified by the result; because, undoubtedly, the London County Council does not possess the general confidence of the ratepayers of the metropolis; and one great mistake—one fundamental mistake—has been that the election of its members has been determined by political considerations, and further, that the representatives of the different districts have no qualification to represent that district.

13,817. (*Chairman.*) But they are chosen?

13,818. (*Lord Farrer.*) How do you account for the last election?—I will take the first election. I live in the Brixton division of the Lambeth Parliamentary division. At the first election Lady Sandhurst was brought forward and Captain Verney. Both those candidates were nominated by what you call the extreme Radical party; and the other candidates were, I think, Mr. Beresford-Hope, and some other gentleman whose name I forget. Not one of those candidates had any interest in the district—not ratepayers, not owners of property, and were comparatively strangers to the district. No one took any interest in the election. When they are elected they go to serve the political organisation which they represent — which selects them practically.

13,819. (*Chairman.*) Does not that reflect upon the character of the inhabitants of the district?—Yes; but you have got to deal with this fact, that the metropolitan ratepayer is very indifferent to his interests, I mean the interests of local government in the locality in which he resides. You will get him to take part, perhaps, with some effort, in a parliamentary contest, but you will have very great difficulty in getting him to take part in the election of guardians, the election of vestrymen, the election of County Councillors; and it is very difficult to get much interest in the election of school boards. Now, what I say is, with the introduction of separate municipalities, I should propose to reduce all these elections, because the metropolitan ratepayer is overwhelmed with the number of elections that take place at the present time; and I should, if, as I believe separate municipalities proved a great success eventually, entrust to these municipalities the powers and duties of the School Board, and perhaps also with the administration of the laws relating to the Relief of the Poor in each separate municipality.

13,820. (*Lord Farrer.*) Do you propose anywhere, subsequently, in your evidence, to tell us what you mean by the municipalities which you would create?—Yes; what I mean by a municipality is a Lord Mayor, Aldermen, ——.

13,821. No; I am not speaking of its constitution, I am speaking of the areas?—Duties? Well, no, I have not gone into details. My idea would be to have a Mayor of Lambeth, a Mayor of Marylebone, a Mayor of St. Pancras, and a Mayor of Islington.

13,822. (*Mr. Smith.*) You pick out the large parishes; but what would you do with the small ones? Would you group them?—Certainly, I would group them, and form them into a separate municipality.

13,823. You say that the County Council has failed mainly on account of its political constitution? You propose to form these districts into municipalities?—Perhaps not entirely—that is perhaps going a little too far—that is one of the grounds which has contributed to its failure; and another, too, may be the nature of the duties and the number of its members, and the vastness of the area.

13,824. The political question is what I want to touch upon. You propose to form these various districts into Corporations, with Mayors, Aldermen, and so on?—Wards, separate wards in a municipality.

13,825. Well, do you know that we have had evidence that in almost every corporation in England, as far as the evidence has gone, political considerations determine the constitution of the Council?—I think not all; because, I think, if you look at the returns of the election of mayors all over England, as I do myself at every election——

13,826. I do not say they are all on one side?—No; but I do not think they are determined by political considerations. This may be the result of the election, but not necessarily the cause of the contest.

13,827. I am not speaking solely of the election of Mayor; but we have had evidence from town clerks of two large municipalities, which certainly coincides with my own observation, that political considerations do affect the elections to a greater extent than any other?—Take the town of Brighton. The election of town councillors is not determined by political considerations entirely; it may sometimes—not as a rule.

13,828. (*Chairman.*) Do you not always, see now, the day after the result of these municipal elections a return in the "Times" and other newspapers—here the Conservatives gained a seat?—Yes, that may be one of the results of the election, without necessarily having been the primary or chief cause of the contest. Most men who mix up in municipal affairs have formed political opinions and more or less support one of the political parties, but it does not at all follow that politics influenced the choice of the municipal elector.

13,829. The Liberals lost two seats, but the Conservatives gained another, and so on, including even Brighton?—Of course, my own personal experience is limited to the City of London as regards that, and in none of the wards do political considerations control, or, I may add, influence the election of representatives.

13,830. (*Lord Farrer.*) How often are there contests there?—Well, in the larger wards there is generally a contest every year.

13,831. Is there?—Oh, yes, as a rule, in the Ward of Farringdon-Without and Bishopsgate-Without, and perhaps Aldgate, and two or three of those wards.

13,832. Four or five wards out of 27?—Yes.

13,833. (*Chairman.*) In your own there was not a contest in 10 years?—No.

13,834. (*Mr. Smith.*) Did you have one when you retired?—No, there was not. There was no principle involved. I had no desire to represent the ward except it was the general wish of the electors. I had served them 10 years, and recognised that they had a perfect right to prefer some one else to myself.

13,835. (*Lord Farrer.*) It does not look as if there was any great interest taken?—The answer to that is, that the inhabitants of the different wards are satisfied with the way in which they are represented. There is no special virtue in having a contest, and it does not necessarily lead to the election of the best man. A choice of representatives can be made as well without as (and perhaps better than) after a contested election. Referring again to the political question, I am satisfied of this, that if the Corporation of London, either in its corporate or ward capacity, had been controlled by party politics, it never would have been allowed to exist as long as it has.

13,836. Will you explain to me this: you seem to find fault with the London County Council on the ground that the elections of it have been mainly determined by political motives?—It is a great source of weakness.

13,837. It is you think a great cause of weakness? Will you explain to us how it is that in London in

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the County Council the Progressive party is so very largely in the majority?—Yes.

13,838. Whilst in the elections to Parliament, which are distinctly political, the Liberal party are by no means in the same majority?—Well, I think the explanation is this: I will take the parish of Lambeth, with which I am acquainted. Originally the Lambeth Vestry was, I think, to a great extent a Conservative body; it is now undoubtedly a Radical body.

13,839. (*Chairman.*) It had a political character?—Well, I should say the Conservatives were in the majority there; it was more Conservative than Radical, but in the general conduct of its business it was not guided by political considerations.

13,840. And you knew the political opinions of the different members?—Well, some of them. Then I think the head-quarters of the Radical party saw the condition of things, and they have been exercising their influence through the local districts to alter that state of things, and I think they have succeeded.

13,841. Well, will you answer Lord Farrer's question about the contradiction between the representation of the County Council and the representation in Parliament?—I do not quite follow.

13,842. Lord Farrer put to you this question: to explain how is it that the representation of London in Parliament differs in character from the representation in the County Council?—Well, there I think the Conservative party have been more active, and they have got the ratepayers to take an interest in a Parliamentary contest which they have failed to do in the contest for the County Council.

13,843. (*Mr. Smith.*) But a ratepayer would be more likely to take an interest, would he not, in local matters than in Parliament?—In dealing with the metropolis you must recognise this fact, that the great body of ratepayers do not take an interest in the management of local affairs. They will not trouble to go to the poll. That will be discovered when the ensuing elections of guardians take place and ballot papers have been abolished, and people have to walk to the poll to vote for the election of guardians.

13,844. (*Lord Farrer.*) You seem to be in this fix, if I may say so, that either you must have a political interest or you have no interest at all?—No, I think if you form genuine separate municipalities, you will you get men of capacity and influence to come forward in local elections, and I think you would find that they would be supported by the inhabitants generally. You see no one takes much interest in the County Council elections.

13,845. (*Chairman.*) You intimated an opinion that in the forthcoming election of vestrymen at Lambeth the number of voters would be comparatively small?—The election of guardians.

13,846. How about the vestry?—Well, there is very little interest displayed in the vestry elections.

13,847. With the new electorate, and in the next election of the vestry of Lambeth, do you expect a considerable proportion of persons voting?—No, I do not think so.

13,848. A larger proportion than voted for the County Councillors of Lambeth?—Much less.

13,849. Then why do you expect a greater representation of the electors of Lambeth in choosing the Municipality of Lambeth than in choosing the members of the County Council?—If you bring forward a bill to establish a Mayor, Aldermen and Councillors, you bring something new, something which exercises a fascination and attraction, and you get people to take an interest in it which you do not as it stands now. For instance, the Mayor of Lambeth would occupy a far better position than the Chairman of the District Council. Take Brighton and Hove for instance, Brighton has a Mayor, Hove is managed by commissioners. Well, a mayor for the time being of Brighton is a far more influential and recognised person than the Chairman of the Hove Commissioners.

13,850. You might have a mayor without the full organisation of Mayor, Aldermen and Councillors under the Municipal Corporations Act?—But I think you want to give these local bodies what I call a degree of dignity about them so as to attract people of all classes, not one in preference to the other.

13,851. Novelty, importance, and power?—And antiquity. There is a great deal of antiquity associated about the office of Mayor and Aldermen.

13,852. Not yet about the Mayor of Lambeth?—I mean about the office of Mayor.

13,853. Novelty, importance, and power—these would attract a considerable number of votes?—I am sure of it.

13,854. Were not all these characteristics found in the London County Council when it was first established?—You have no Mayor on the London County Council.

13,855. You have got novelty, you have got importance, and you have got power?—It was the intention of the framers of that Bill that it should be conducted on non-political principles, and that was not carried out.

13,856. What has that got to do with it? It is the foundation of your scheme that these municipalities should be conducted on non-political principles?—Undoubtedly it is.

13,857. Why is the thing to prevail in one case and not in another?—I may be wrong; that is my judgment.

13,858. But why?—If a man had an opportunity of becoming a Mayor of a place like Lambeth or St. Pancras you would get men of influence who would exercise a beneficial power in the neighbourhood—who would perhaps spend their money in entertaining and doing a variety of things to add dignity to the position.

13,859. (*Lord Farrer.*) You think that giving a Mayor to each district of London would have this effect?—With Aldermen.

13,860. Would create a public feeling which would not be political?—Which would not necessarily be political.

13,861. But which would make it into a dignified and active executive body?—Yes, I think so.

13,862. (*Chairman.*) The Mayor would be backed up by Aldermen also?—Yes, I think so.

13,863. (*Mr. Smith.*) Before you leave the question of constitution, I see you say you would form the various districts outside the city into corporations with Mayor, Aldermen, and Councillors?—I would leave the City substantially as it is.

13,864. But you would have these Corporations under the Act of 1882?—I think you would have to obtain a new Act under my scheme.

13,865. You want a new Act to constitute the districts, but I presume you would bring them into harmony with the municipalities throughout the country?—I am not quite sure that I am sufficiently acquainted with the details to answer that question.

13,866. How could you say you would form them into separate municipalities unless you are familiar with the Municipal Corporations Acts?—London, from its size and area requires different treatment from any other town in England; I have visited Liverpool, Manchester, Birmingham, Nottingham, you cannot ——

13,867. (*Chairman.*) Confine yourself to Brixton, which is your district. You propose to cut up off Brixton into wards?—I should make a Mayor of Lambeth, and Brixton would be a ward of Lambeth.

13,868. Lambeth. You would have a Mayor, Aldermen, and Councillors for Lambeth?—Yes.

13,869. And the Councillors would be elected in Wards?—Yes.

13,870. Just in the same way as Councillors of a provincial town are elected?—Exactly.

15,871. And the Aldermen would be elected in the same way as in provincial towns, and the Mayor?—No; I propose that the Aldermen should be elected by the ward.

13,872. (*Lord Farrer.*) As in the City of London?—As in the City of London.

13,873. For life?—For life.

13,874. (*Mr. Smith.*) And you would adopt the City model—an unreformed Corporation—in opposition to the Municipal Corporations Act provisions?—I should take the precedent of the City as regards the Mayor, the Aldermen being elected for life by the inhabitants of the wards, the Municipalities divided into wards.

13,875. Have you any experience of the working of our large Municipal Corporations in the country?—I have no practical experience.

13,876. Would the wards elect their representatives every year?—Yes.

13,877. In fact you would copy the City exactly?—I would follow the City.

13,878. (*Chairman.*) Mr. Smith asks you, have you any experience of the working of the large municipal Corporations in the country?—I have no experience of the working of the large municipalities in the country.

13,879. (*Mr. Smith.*) Are you acquainted with the literature of the question? Are you aware what the Commissions have said about this?—Yes. I think I remember what the Commission of 1854 said on the subject. I forget the title of the Commission. I remember they reported in favour of separate municipalities.

13,880. You remember that one. But do you remember what the Commission of 1837 said, the same Commission as reported in 1835?—I am only here to give the benefit of my own knowledge and experience of the last twenty-five years.

13,881. I am only trying to test it?—Yes.

13,882. (*Lord Farrer.*) Would your aldermen be magistrates?—I would make them magistrates. What you want to do in the suburbs of London is to add dignity and power.

13,883. And you would substitute your aldermen in these districts for the present stipendiary magistrates?—Oh, no; I should let them sit too. I should have stipendiary magistrates as now; but I should give the aldermen power to sit with them; the same as at Brighton, there is a paid stipendiary magistrate at Brighton; I should let them sit with them as they do there.

13,884. In addition?—Yes.

13,885. (*Mr. Smith.*) You think without this dignity and power, you cannot elicit much public spirit?—No.

13,886. (*Lord Farrer.*) Would you give your Mayors control of the police?—No; so far as the Metropolis is concerned, I should leave the control of the police as it is at the present time. It is controlled by the Home Office. In the provinces it is controlled by the Mayor and Corporation. The reason of that is that it is too far away to be controlled by the Home Office.

13,887. (*Mr. Smith.*) It is controlled by the Watch Committee?—Well, the Watch Committee.

13,888. It is not quite the same thing?—You could not control the police in Birmingham and Manchester from the Home Office here; and, therefore, you have a Watch Committee.

13,889. They tried to do so?—It would be a mistake. The control of the police ought to remain as it is at the present time in London. I think the City should still retain its power to keep their police.

13,890. (*Lord Farrer.*) Have you considered at all what the different areas of London should be?—No, my Lord; I cannot say that I have formed any conclusion as to the number.

13,891. No conclusion at all?—Not as to the number.

13,892. So you have not gone into that question?—I mean not with a view to come to a final decision.

13,893. Can you give any idea? Because that is a very serious practical difficulty, as any person attempting to deal with the question of areas will know. Anyone who suggests to us such a plan as yours ought to be prepared with some scheme. How many municipalities, for instance, would you get in London?—Well, I should make Lambeth one, and I will tell you why. I think it has been proposed to make Lambeth, Newington and Camberwell into one municipality. I think that would be too large; and, therefore, I should make Lambeth a municipality by itself.

13,894. (*Mr. Smith.*) What would be the size of Lambeth?—I could not tell you. I have not the statistics before me. But Lambeth extends geographically from the Surrey side of Westminster Bridge to the Crystal Palace.

13,895. You have seen, I daresay, a map which has been published, I forget by whom—by Mr. Hitching; have you looked at that at all? That gives a suggestion?—It is a question, I think, between seven or eight, or 10 or 12 municipalities. If you divide the Metropolis, it will be a question—for instance, take Westminster, where we are now, it might be a question whether Westminster should embrace the parish of St. George's Union, or whether St. George's Union should stand by itself.

13,896. (*Mr. Smith.*) Seven or eight would give half a million to each municipality?—That would be too large; that would be a reason for making them smaller.

13,897. Making more of them?—Making more of them.

13,898. Would your idea of the City be a proper area—about a square mile?—No; of course the City occupies an exceptional position.

13,899. It does?—There is no area so small as that, I think, outside the City which it would be right to form into a municipality.

13,900. (*Lord Farrer.*) Would you do this at once, or would you do it by degrees?—Well, I think the proper way to go to work is to bring in a measure at once for the formation of separate municipalities and to have a Commission to settle boundaries, and then if the municipalities were found to be a success, I should add to their powers and duties.

13,901. (*Mr. Smith.*) And you would abolish the London County Council?—Well, I think it would come to that.

13,902. (*Chairman.*) Apparently you would abolish the School Board of London?—Yes, if the municipalities were a success, I should entrust to each separate municipality the duties of a School Board.

13,903. And have a school board for each municipality?—I should entrust to each municipality the control of the education in its own district; and for this reason, that I am satisfied there has been great waste of money in the School Board of London from the want of effectual supervision on the part of the members. It has been utterly impossible to do it. And another thing is this, that I think the School Board should be limited in its expenditure. At all events, with a large area such as the School Board of London now forms, the individual members have practically no responsibility as regards expenditure, but if they represent a municipality and had to go to their constituents once a year, I do not hesitate to say that the work would be much more effectively and economically conducted.

13,904. You have no acquaintance with West Ham?—No.

13,905. There there is a separate municipality, and West Ham has a school board of its own?—Yes.

13,906. You do not know that there they are groaning under that school board rate?—That I do not know.

13,907. And that they would like to be fused with the school board of the Metropolis?—That I do not know.

13,908. Would you be surprised to know that we have had evidence to that effect?—Well, even if it were so it might be due to some exceptional circumstance and I should still hold my view, that a large area is a mistake; where you have such a large area you do not get effective supervision by the members.

13,909. (*Mr. Smith.*) Would you be surprised to know that there is no expenditure so popular in our large municipalities as expenditure on education?—I am not objecting to it.

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13,910. But there is, as a matter of fact, no expenditure so popular?—I do not in any way object to School Board expenditure, provided it is kept within reasonable limits, that it is not extravagant.

13,911. I do not think your suggestion would necessarily reduce the rate, if that was your argument?—I think you would get, I am sure you would get, a more economical, and, at the same time, a much more effective supervision.

13,912. You would think you would get it more economical?—A more economical and more effective supervision.

13,913. (*Mr. Holt.*) I understand, Mr. Fraser, that you are in favour, besides these local municipalities, of one controlling power?—Yes for matters of common interest to all.

13,914. And to the head officer of the controlling power you would give the title of Lord Mayor?—Yes, I would make the Lord Mayor of London the presiding officer of the central body.

13,915. How would you have your Lord Mayor elected; would you have him elected in the same way as in the City of London?—I think the City by its antiquity——

13,916. Should nominate to the office?—Should appoint the Lord Mayor. The Lord Mayor of London proper for the time being should be the head of the central body.

13,917. (*Lord Farrer.*) Chosen as he is now?—Chosen as he is now.

13,917*a*. By rotation?—Yes, practically.

13,918. (*Chairman.*) He would be able to undertake that duty quite easily?—I had the honour of being a member elected by the Corporation of London as their representative, of the Municipal Corporations Association for two years, and that is a body which is composed of elected representatives of all the municipalities throughout England, or those who choose to join it, and they meet together to discuss objects of common interest to different municipalities, and they have so grownin power and influence now that I believe most departments of the State generally consult that body, or are glad to receive communications from that body on pending legislation. That is an illustration of things of common interest to a large number of bodies being discussed and settled quite apart from politics.

13,919. (*Mr. Smith.*) They have no administrative powers, you know?—They have no administrative powers; but my idea of the general body would be to legally constitute a similar body and give them powers for the metropolis.

13,920. (*Lord Farrer.*) In what you have been telling us are you representing only your own opinions or the opinions of anybody else?—Oh, my own only.

13,921. Only your own—you have come here, I mean, on your own account?—Oh, entirely.

13,922. By your own desire?—Well, Mr. Greenwell called on me, and I think he was introduced to me by Mr. Smith, the vestry clerk of Lambeth, who knows me, and knew I was mixed up with these things, and thought I might be able to give some interesting information. But I represent only my own views. I only knew that I was coming here lately. This statement I have handed in I only dictated a few days since.

13,923. (*Mr. Holt.*) The franchise you advocate for these new municipalities you would not advocate for the City of London; that is to be a different franchise altogether?—I think the City of London has worked well and worked satisfactorily and is entitled to be left, and I should let the ratepayers elect the Councillors of the different wards by the parliamentary or poor law franchise.

13,924. Just so; but not for the rest of London?—Well, no.

13,925. I only want to know?—Well, practically it is the same. The Councillors are elected practically by the same—the Councillors of the City of London would be elected by the same class of people as those outside—the ratepayers.

13,926. (*Mr. Smith.*) The Lord Mayor would still be elected by the Livery—presented by the Livery?—Yes.

13,927. (*Lord Farrer.*) Practically in rotation?—Practically in rotation, if he is a fit man.

13,928. (*Chairman.*) I see you are of opinion that the London County Council followed party considerations in letting the Coal Dues drop?—Yes; undoubtedly that was so; it was a great mistake.

13,929. (*Lord Farrer.*) It might have been a great mistake; but what were the party considerations?—Well, I will tell you how the matter originated. When the time for renewing the Coal Dues arrived, Lord Randolph Churchill was Chancellor of the Exchequer, and Sir James McGarel Hogg was Chairman of the Metropolitan Board of Works, and he insisted upon going with the Corporation of London to Lord Randolph Churchill, and asking for the renewal of the Dues when it was obvious that any renewal of the Dues by Lord Randolph Churchill would have been objected to by the opposite party; and therefore Lord Randolph Churchill was obliged to refuse to consent to the renewal of the Dues. The proposal, I believe, was to ask for a Committee of Inquiry, but Sir James McGarel Hogg would not give way on that point, and it was politically inconvenient for the Chancellor of the Exchequer then to agree to the renewal, and he refused it, and then the other party came into power and they refused to agree to it.

13,930. (*Chairman.*) You think Lord Randolph Churchill refused it because he was afraid he would be out-bidden by the other side?—I have no doubt he was influenced by political considerations.

13,931. Do you know him intimately?—I know him publicly.

13,932. I have always thought that he was quite sincere in refusing to renew those dues?—That may be. It depends on the point of view from which you look at these things. They have been a distinct loss to the metropolis—the Coal Dues have. Of course there are a great many things you cannot justify theoretically which in practice are found to work satisfactorily.

13,933. A desire to maintain in undiminished splendour and power the City of London appears to be the main spring of your motives?—Oh, no. I am quite anxious that the example which the City of London has set should be followed and copied elsewhere in the metropolis; and I think if you had separate municipalities you would find they would fascinate and attract people, and people would take an interest in local life and government.

13,934. Quite so. You do not want to preserve that as a lone star—you would have a constellation of stars about it; but you would not have it in any way altered or diminished?—It would be a question whether you would enlarge the borders of the City—extend the City a quarter of a mile or half a mile in circumference. That is a detail.

13,935. (*Lord Farrer.*) And in order to effect this object of maintaining this unreformed institution you are ready to revolutionise everything that Parliament has done during the last generation?—I do not follow that, my Lord.

13,936. You want to upset the School Board?—No, I do not want to upset the School Board. What I am saying is that you would probably find these municipalities such a success, and prove themselves so worthy of the confidence of the people, that you would be glad to take the opportunity of putting the School Board into their hands.

13,937. (*Mr. Smith.*) But do you know, as a matter of fact, that if you formed these municipalities on the basis of the Municipal Corporations Act they would have to have separate School Boards?—Well, I am not dealing with details.

13,938. That is the principle?—Well, not necessarily; if you had a new Bill it would not follow.

13,939. (*Lord Farrer.*) You have one principle, which is to maintain the Corporation of London in its present condition?—Yes; that is substantially.

13,940. That is the leading principle?—My main point is this: that I think it desirable that municipal bodies should be formed outside the City of London.

13,941. And what you came to tell us is entirely outside the scope of our commission, which is to propose a scheme for unifying the City of London and the London County Council. All your suggestions are entirely outside that?—Well, I am not responsible for that. I told Mr. Greenwell substantially what I should say if I came here, and here I am. I am not responsible for coming here.

13,942. Your proposal is to do away with the London County Council, to do away with the School Board, to have the Corporation of London as it is, and establish a number of other municipalities on the model of the present Corporation?—More or less. *Mr. W. J. Fraser.* 7 June 1894.

13,943. That is, shortly speaking, your plan?—Yes.

13,944. (*Chairman.*) With a reconstituted Board of Works?—To some extent, yes.

The witness withdrew.

Mr. Benjamin Francis Conn Costelloe, a member of the London County Council, called in and examined. *Mr. B. F. C. Costelloe.*

13,945. (*Mr. Costelloe.*) I may say, Sir, I only had notice this morning that the Commission would be willing to receive me, and therefore I have not set down anything, but the chief point upon which I must give evidence was the question relating to the present and possible local areas in London, as to which some evidence has been given to you from various points of view; and since I had the honour of succeeding Sir Thomas Farrer, as he then was, in the Chairmanship of the Local Government Committee of the London County Council, I have had a great deal to do with that particular question from the point of view of the Council, and it was thought well that I should attend to make some statement on the subject. I may say that I have read the evidence given by the Deputy Chairman of the Council a few days ago, and broadly speaking, I concur in his view. As a matter of fact the Deputy Chairman and myself have frequently discussed this question as a question of the Council's policy, the more because we, I believe, started out upon it from different points of views, and practically we have found ourselves constantly approximating, by reason of the necessities of the case, to a more or less similar conclusion, and if I may, I will at once start with that question.

13,946. (*Chairman.*) You are vice-chairman of the committee of which he is chairman, the special committee?—The chairman of the special committee is Mr. Charles Harrison, the Vice-Chairman of the Council. I am now the vice-chairman of that committee. I was until a few weeks ago Chairman of the Local Government Committee of the Council.

13,947. Now tell us what you would say about these areas?—Mr. Dickinson preferred to state his point of view about them by starting with the existing boards of guardians. As I said, I rather start upon the consideration of the matter from a different point of view. I should prefer to put it in this way, that it has seemed to me, after all the consideration we have given to the matter, to be a conclusion almost inevitable that in any dealing with the areas of London you must commence by trying to preserve local centres of activity; that is to say, that instead of attempting to set up what might be theoretically a a desirable scheme, if you had a clear sheet, you must be to a certain extent governed by what I might call the lines of cleavage. I look at it from a similar point of view as regards the origin of the whole problem. The area of the metropolis has come to be what it is to a large extent by the development of independent local centres rather than by the mere radiation of people from a point, as in the case of most of the great municipalities of the country. The metropolis has been created in great part by the growth of independent villages, and the parts which were independent villages, owing to the prevalence of tradition in all our affairs, often continue to be to a singular extent independent villages still. I say that partly because of my own experience in the matter in connexion with Chelsea, which I now represent on the Council. I think it will be generally agreed and certainly it is my own strong view that Chelsea is an exceptional case of vigorous local public spirit for the purposes of local government in London, although as a matter of fact it has a divided area one-sixth or one-fifth of which lies several miles from the main part of the parish——

13,948. Is it so large a proportion as that?—I believe it is more than one-sixth of the electorate, and I think it is about one-fourth of the population. I do not mean that the detached portion is as large a proportion of area or of rateable value, because the outlying part is mainly an artizan quarter, but in population or voting power it amounts to about one-fifth. Notwithstanding that peculiarity, which has come down from the Conquest, Chelsea appears to be curiously individual in its influences and in its movements, and it works to a large extent as if it was a separate community.

13,949. (*Lord Farrer.*) Including that outlying portion?—Including that outlying portion. I certainly should not have expected to find it so, but since I have been connected with Chelsea, that is distinctly the result of my own experience on the subject. Now the strength of that local feeling in an area like Chelsea was first brought to my knowledge in connexion with the very matter about which I am now giving evidence. I think you have already been told that in the early days of the Local Government Committee, when Lord Farrer was the Chairman of it, there were proposals made in the direction of endeavouring to a certain extent to use the machinery of the new central body for the purpose of coming to some conclusion as to the proper division of the Metropolis into areas, and a great deal of trouble was taken by a Special Sub-Committee for the purpose of considering the different areas that exist, the Poor Law areas and the existing Vestry and District Board areas, and such other areas as there are. As a matter of fact a series of large maps were traced, transparent maps, which could be superimposed one upon another for the purpose of showing at a glance how far the areas varied, and how far they could possibly be made to fit, and as a result of these studies there was a report of a Special Sub-Committee, in which I believe Colonel Hughes was a leading spirit. I was not myself upon the Sub-Committee. It contained no doubt many able representatives of different views, and after much difficulty, and I believe with much difference of opinion, they arrived at a scheme which they were prepared to recommend to the Main Committee. I intended to bring the scheme with me, but I have not been able to get a copy of it. It went broadly on the principle of laying down a comparatively small number of great areas.

13,950. (*Chairman.*) About how many?—I really forget what the total number was, but I should say it was less than 20.

13,951. (*Lord Farrer.*) Yes, I think less than 20, as far as I remember?—I cannot pledge myself to the number, because I was not myself on that Special Committee, though I was on the Main Committee. But I was about to say that the report of the Sub-Committee was never really considered by the Main Committee, for the reason I am about to mention. The details of the scheme leaked out, and in various parts of the Metropolis, and especially in Chelsea, there was an absolute outcry. There were spontaneous and tremendous meetings, in which all the

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local patriotism was invoked in most various forms. The difficulty in Chelsea was that it was proposed to throw Chelsea and Kensington into one area, and as far as I can learn that process was equally distasteful to Chelsea and to Kensington. The result of it all was that in the face of the public opinion which was manifested in all the areas which were threatened with alteration, the general sense of the committee on all hands, with the possible exception of Colonel Hughes, who I believe still retains a fatherly interest in the scheme—the general sense of the Committee was that it was really of no practical utility to proceed with any scheme of the kind, and it was shelved. About that time I came in as Chairman of the Committee. While I was Chairman, and I was Chairman until a few weeks ago, when I handed over my office to my successor, nothing has been heard of that scheme.

13,952. And if the old Chairman had remained the result would have been the same?—So I understood.

13,953. Sir Charles Dilke headed a great movement of protest?—Yes. I was, myself, at the meeting he convened at the Chelsea Town Hall. I was invited as a representative of Chelsea, and I was amazed at the fury of the local feeling evoked.

13,954. (*Mr. Smith.*) You do not think it would be so easy a business as the last witness so airily described?—I was somewhat appalled when he proposed that you should shift the boundary of the city by half a mile, without the smallest consideration of what was to happen next. I daresay, I may assume, without going too far, that I am not notorious for hesitation in proposing changes of any kind, but I confess that ever since I have had to do with this matter I have been more and more impressed by the absolute impossibility of drawing abstract lines upon the map of London. Sir Charles Dilke, of course, has a very intimate knowledge, not only of his own district but everywhere, of what may be called the Local Government Board side of the matter, and he, I may say, perfectly convinced me that merely from the point of view of financial and other adjustments of practical detail, any sudden and subversive alteration of the existing areas would be extremely difficult. There are a multitude of considerations. Such, for example, as the ratio of local debt, whether poor law debt, or vestry, and district board debt which arise the moment you touch the existing areas. I do not mean to say that that is a reason for not touching the existing areas at all, but I mean that these administrative considerations, taken with the strength of local feeling and the great importance of preserving a local centre of public spirit where you can get it,—all those considerations have operated in my mind to deter me from suggesting anything like a violent or subversive alteration of the local areas. With that preface I should say that I have before me a return of London local areas which the Deputy Chairman prepared for the Local Government Committee, and which was issued a short time ago: and in considering that for the purpose of stating something like a definite view to this Commission, I come to certain conclusions, which I can best state by going through the return itself. The first 10 areas, I think, hardly any one would propose to alter. They are areas which are the same for practically all the purposes for which London is divided.

13,955. (*Lord Farrer.*) Just read the names; it would be just as well to have them on the notes?—The first I have here is the parish of Chelsea, St. Luke's, which is the Poor Law Union unit, and is also the Local Government area and the Parliamentary borough and the county division. That is very complete; in fact the only objection to that area as it stands is the fact that it happens curiously to possess this detached portion which I describe. Hampstead, St. John's, is practically in the same position; it is a parish, it is a poor law area, it is a Local Government area, it is a county division, it is a Parliamentary borough. Bethnal Green, St. Matthew, is in the same position except that by reason of its size it has been divided into two county divisions.

13,956. (*Chairman.*) Two parliamentary boroughs?—It is technically in one borough but it is in two parliamentary divisions. When I say county divisions I refer to both parliamentary and county purposes, because the areas are the same. St. Marylebone is again in the same position, except that it is divided for parliamentary and County Council elections. Kensington, St. Mary Abbott's, is again in the same position, but divided for County Council and parliamentary elections. Paddington is in the same case. Islington, St. Mary's, as in the same case, except that in this instance because of the large population it is divided into four electoral divisions. Shoreditch, St. Leonard's, is in the same case, only that it is divided into two parliamentary divisions, and in this case there is a matter for a boundary commission because a small part of Shoreditch is under the jurisdiction of the City Commissioners of Sewers. I may take that opportunity for saying that I think that, whatever conclusion is come to as regards areas, there is the utmost reason why there should be strong boundary tribunals in London for the adjustment of small matters of this kind which no sane person, I venture to say, would ever suggest retaining. St. Pancras is an independent area for all purposes, and is divided into four parliamentary divisions. Lambeth, St. Mary's, is in the same situation, but has two electorial divisions. Camberwell, St. Giles', is the eleventh area; it is a parish and a poor law area, and it administers its own local government independently, but for electoral purposes it is anomalous. Camberwell was originally made a Parliamentary borough with the hamlet of Penge thrown in. In consequence of that the County Council and Parliamentary constituencies of North Camberwell, Peckham, and Dulwich now cover among them the whole of the parish area of Camberwell with Penge. That is the commencement of a whole series of anomalies concerning Penge, which has long been the crux of the Local Government Committee.

13,957. (*Mr. Smith.*) Penge alone will demand a Commission, as far as I have been able to gather?—I think, sir, Penge would afford ample work for more than one Commission, but Camberwell, apart from Penge, is in no need of adjustment.

13,958. (*Lord Farrer.*) Could you tell us what is the smallest population of any of those areas you have mentioned?—They vary considerably in population; the smallest population is Hampstead, but that of course is subject to increase.

13,959. How large?—The population of Hampstead in 1881 was 45,452; and in 1891 it was 68,416. Then the largest population, of course, is Islington, which is I believe the largest parish in the world. In 1881 it was 282,865, in 1891 it had risen to 319,143.

13,960. (*Mr. Smith.*) Is it pretty nearly filled up?—Yes, I believe it is now pretty nearly filled up.

13,961. (*Chairman.*) It did not increase in anything like the same proportion as the other areas?—Well, all the other areas that I have mentioned are practically filled up. Chelsea is, broadly speaking, filled up, and Chelsea is just nearing a population of 100,000. Of the others, Bethnal Green, Marylebone, Kensington, Paddington, and Shoreditch also lie between 117,000 and 167,000; and St. Pancras, Lambeth, and Camberwell lie between 234,000 and 275,000.

13,962. (*Mr. Smith.*) They would be all smaller than the six or eight largest of our muncipalities in the country?—Yes, but I think it would be fair to say that any of those would be a respectable municipality if it happened to be geographically independent. Passing on from Camberwell, the next item on the return is Hackney and Stoke Newington. As to that Mr. Dickinson remarked that he was himself rather sorry to see the division of the District Board areas recently effected by a public Act. For that division my Committee was to some extent responsible, because we assisted in the end, after much discussion,

a local effort to settle what I believe was becoming a very serious trouble. The fact was that Hackney and Stoke Newington were ill-assorted members of one of the District Boards that were created in 1855. In 1855 Stoke Newington was largely an unbuilt district, a small group of villa residences and other such property lying on the border of the county, and it was bracketed with Hackney, which was a very large and powerful community. Evidence was brought to our committee, we received local deputations, we went into the matter very thoroughly. Evidence was brought to us from all hands and from all sorts and conditions of people that the union of the two had now caused so much friction and worked so badly that both parties were exceedingly anxious to be disjoined. It was quite admitted that Stoke Newington was a comparatively small area for independence, although it was a growing area, and there were other considerations, but the one thing clear to us was that the District Board system was working badly. I confess that, from that and from various other matters which have come to my knowledge on the Committee, it appears to me that one of the first essentials in any reform of London areas is that as far as possible the District Board system should be done away with. The District Board system, in the first place, involves indirect representation; in the second place, it involves a double system of officers and establishment charges, and without desiring to put the matter roughly at all, I may say in most parts of London I have come to the conviction that the District Board system means bad government. There are notable exceptions, such as Wandsworth, but the system is bad. Now, in the case of Hackney and Stoke Newington, we agreed to give all the assistance we could—it was not much except in the matter of influence—to a Bill; it could only be done apparently by a public Bill in Parliament for the dissolution of that District Board.

13,963. (*Chairman.*) What is the joint population?—The population in 1891, of Hackney, was 198,606; the population of Stoke Newington at that time was practically 31,000. I should add, with regard to that, that there was another consideration which very strongly influenced my Committee and the Council at the time, and that was that there was then pending, and there is, in fact, still pending, a question which has also been mentioned to you, as to the inclusion of South Hornsey in the county of London. South Hornsey has at present a board of its own, although for certain purposes it is part of the large parish of Hornsey; but South Hornsey makes a wedge, entering with a sharp angle into the boundary of the county. It lies alongside of two of the county parks, it is part of the drainage system; it is in every way structurally part of London, and our view decidedly was that there was every reason for including not only South Hornsey but also a small part of the area of the parish of Hornsey which lies with it, in the area of the London county. If that had been done, it would have been appropriate to amalgamate that area with Stoke Newington, and thereby a local government area of sufficient size would be created. The impression went abroad in South Hornsey that that would make a very great increase in the rates, and considerable local opposition prevailed, and in consequence partly of matters in connexion with the passing of the Act of 1894, we did not take the necessary steps to proceed this year with the local inquiry. The matter, however, has not ceased, and we are still strongly of opinion that it is very desirable for good government in that part of the Metropolis that the county should be rounded off. The same thing of course holds in other parts of the Metropolis, but I mention it here merely because it concerns the division of Hackney from Stoke Newington.

13,964. A portion of Hornsey lies south of that ridge?—Yes, the boundary of the county we suggested was the drainage ridge. Then the next item on the list is the Union of Fulham containing the parishes of Fulham and Hammersmith. These, as the Commission are aware, have been a District Board area, and were separated some time ago in consequence of the constant growth of population and of the fact that there were, as in the Hackney case, local interests and local tendencies in these ancient parishes, and that, as they could not draw well together, they preferred for all purposes to be separate.

13,965. (*Lord Farrer.*) Was that done before the London County Council existed?—That was done long before the London County Council existed, that was done some years ago. The populations of Fulham and Hammersmith are both now approaching 100,000, and they are both filling up still at a very rapid rate.

13,966. (*Chairman.*) They constitute one parliamentary borough?—No, they appear as two parliamentary boroughs, and they are both separate County Council constituencies. Then the next item that I have on the return is the St. George's Union. That is one of the cases which illustrate the great complexity of the areas when the boundaries begin to cross one another. The Union consists of the parishes of St. George's, Hanover Square, the United Parishes of St. Margaret and St. John, Westminster, and the extra-parochial place which is called the Close of St. Peter. I may say at once that it seems to me, from what one has heard in the Local Government Committee, quite obvious that one of the things that ought to be done is to complete the amalgamation of all the small extra parochial places with some other area for parochial purposes. That has proceeded very far already for parliamentary and other matters, and there remains various anomalies, which mean nothing except extra officials and extra cost in the way of establishment. I know of no other reason for which they should be maintained. The Close of St. Peter is of no importance; it contained only 25 houses in 1891. Leaving it aside, there remain the two areas of St. George's, Hanover Square, and the united parishes of St. Margaret and St. John, Westminster. I was myself for several years a member of the vestry of St. Margaret and St. John. There also the provisions of the Act of 1855 have been altered. The two parishes had originally been treated as a district board, and the district board organisation had been set aside by a local Act promoted by the vestry. The population of Westminster was in 1891 55,500, and it may be regarded as practically full. The change which is taking place there, and will inevitably proceed, is the clearing away of the small property, and the substitution for it of large residential property, including flats. I come, therefore, to the question whether in a case like St. George's Union it is desirable to amalgamate two such independent areas as St. George's, Hanover Square, and the Westminster united parishes or not? I quite concede that that is one of the doubtful cases.

13,967. (*Chairman.*) It is there you first come into difference with Mr. Dickinson?—I do not know that we would seriously differ on any of these, if we talked it out. That is why I preferred to say that we approach the matter from different points of view; but as I understand him he would say that St. George's Union is kept together for Poor Law purposes; it has a population of 135,000; it is a convenient area, and might be adopted. On the other hand, I am of opinion that 60,000 or 70,000 is large enough in practice where you have any existing local public spirit worth maintaining, and where you have units such as the two United Parishes and St. George's, Hanover Square, my view would be to leave the existing areas for local government purposes.

13,968. It would only be the recovery of the ancient Westminster if St. George's were taken in?—Yes, sir, but I should suggest that, although we maintain traditions while they are alive, they disappear rapidly when they fall into disuse. In Westminster the local tradition now, in my experience, knows nothing of St. George's, Hanover Square, and as far as I know it I should say the same thing was true of

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St. George's, Hanover Square. The fact that they are bracketed for union purposes has nothing to do with local sentiment or with electioneering. They are part of one constituency for the School Board, but as a matter of fact the election has to be worked quite separately, and the local organisers know nothing of each other.

13,969. (*Mr. Smith.*) Parliament has rather made the Union the District Council area throughout the country?—I noticed that that suggestion was thrown out by Mr. Dickinson in his evidence, and I have been considering it. I do not think the parallel is apt, if I may say so. I cannot profess to a large acquaintance with rural local government in England, though I know a little of my district in Sussex, but as I understand it, in the country the parish has never had for the important purposes of local government any very distinctive existence. Its distinctive existence has been traditional but not effective, and I take it that the attempt to create local institutions in it by the Act of 1894 is an experiment which I hope will succeed, but which does not very largely proceed upon any existing facts of local energy or organised life. The area for governmental purpose in counties has largely been the Union.

13,970. Well, not till the Act of 1875, or rather the Act of 1872, which the Act of 1875 superseded. The Act of 1872 which is now past and gone, generally known as the Act of 1875, created the Unions as the Sanitary Authorities. Previously certain sanitary functions were given to the vestries, parishes; but it was a solemn departure on the part of Parliament making the district originally carved out for a poor law purpose the sanitary authority in 1875?—I am aware of that, sir, generally, although I do not know how it has practically worked, but I may suggest then——

13,971. I think it arose also from a germ of an idea which you throw out, which is that it was a number of parishes round the centre, a market town within a convenient distance for administration?—The way that strikes me, as far as I am competent to give any opinion upon it, is that succeeding upon what I may call the long torpor of the parish and in fact of the rural life generally for government purposes, that Act of 1872 commenced the modern state of things, and the traditions in the nature of local government, such as they are, date in the rural areas from 1872. Consequently they have always grouped themselves round this artificial unit, which was a parliamentary creation, and which was no doubt at the time, if I may say so, a theoretical measure.

13,972. It was a necessary measure. The parish would be too small for a great number of purposes you know, sanitary purposes?—No doubt it would be so; but my point merely is that in the country there has been no such consolidation of the parish as a local government area, as has in fact come about in London. It has happened here merely for the historical reason that when each metropolitan parish became populous and important, as there was no sanitary body and no municipality, it was necessary, either by private Acts or by the general extension of the powers of the vestry, to make it a quasi-municipal body.

13,973. Or, put in another way, failing extension to municipal functions on the part of the Sanitary municipality, the rural parishes had to form themselves into the best government that they could?—Yes.

13,974. (*Lord Farrer.*) And, in confirmation of what you say, it may be observed that for many purposes,—such, for instance, as ecclesiastical purposes, for voluntary school purposes,—other districts with boundaries quite different from those of the parishes have been created around the newer centres of population, so that in fact the parish vestry has ceased to be the real organ of rural government, and the real organ of government for practical purposes has been something quite different, and not following parish boundaries?—Quite so, but in the metropolis, on the contrary, by the mere fact that the parish was till the Act of 1855 the only power that you could conjure with at all, there has been a great tendency to keep alive the old township nature of the English parish. The metropolitan parish has in fact grown and developed in all kinds of curious and amorphous ways. It developed by private Acts, the history of which is most curious. No one went into it. We are only now painfully collecting these Acts by degrees ourselves. But as a matter of fact the general conclusion is this, that because there was nobody else to do it, local government was left to the parish or vestry in London, and so they became a more important body. Even where the area was inconvenient, the vestry still was a very important body, and the modern life in London has much more attached itself to the parish as a parish than appears to me to be the case in rural parishes. That is my criticism upon the suggested parity between the organisation by district boards in the counties and the adoption of the Union as the unit for a District Council scheme in London.

13,975. (*Chairman.*) Perhaps you had better go on with those two parishes, because you will find other parishes presently to test your theory?—I commenced, sir, by saying that I regard a case of this kind as what I will call a marginal case between Mr. Dickinson and myself. I have not consulted with him on the details, I do not know what his precise view about these two is, but it is an example. The next case is the Westminster Union, following which comes the Strand Union, and here you come to condign confusion. The parishes concerned are eight; they commence with St. James', Westminster, and St. Anne's, Soho, which together form the Westminster Union; then you have the Strand Union, which consists of the small parishes of St. Paul's, Covent Garden, the Savoy Precinct, St. Mary-le-Strand, St. Clement Dane's, the Liberty of the Rolls, and St. Martin's-in-the-Fields. The Local Government area created by the Act of 1855 varies from the poor law area, because St. James', Westminster, as you have already heard in the evidence, is a separate unit for vestry purposes, and so also is St. Martin's-in-the-Fields, but all the other parishes I have mentioned, including five parishes of the Strand Union, and one of the Westminster Union, form the Strand District Board. The whole Westminster and Strand Union put together form the county division of the Strand, and return two county councillors as a whole, and that entire area has a total population of only 65,000. Even that is decreasing. In 1881 the population of the Strand county division was 80,036, in 1891 it was 64,733. Now in a case of that kind I confess that it seems to me you can resort to nothing except what may be called a rule of thumb. The first suggestion I should make is that the small parishes, as parishes, should disappear. I repeat that there is no object, except the multiplication of establishment charges, in preserving the separate existence of places like the Precinct of the Savoy or the Liberty of the Rolls, or even the three parishes of St. Paul's, Covent Garden, St. Mary-le-Strand, and St. Clement Dane's. The figures will show you what I mean. The number of houses in the Savoy in 1881 was 45, and in 1891 it had decreased to 35; the number in the Rolls was 77 in 1881, decreasing to 66 in 1891. The number in St. Clement Dane's was 905 in 1881, decreasing to 714 in 1891. The areas of course are extremely small and the character of these places is well known to everyone. I may say, in fact, that it has often occurred to me that if these parishes were amalgamated together and amalgamated with some such area as St. Martin's-in-the-Fields, it would be quite possible to make out of that a very consistent local government area. The difficulty that remains if that course were taken is what to do with the two parishes of St. James', Westminster, and St. Anne's, Soho, which form the Westminster Union. I confess in that case I should be inclined to take Mr. Dickinson's line, and say that the Westminster Union might be a convenient unit. I doubt whether the St. James' Vestry is a large

enough unit to be very well administered. And I observe that you have had evidence on questions of sanitary areas and other matters which appeared to confirm one's general view on the subject.

13,976. (*Mr. Smith.*) There is no doubt on the minds of the administrators?—That is always our experience. Many of them do their business, I think, very well; but whether they do it well or ill they generally feel anxious to continue to do it. This, in fact, is another proof of the local patriotism of which I spoke, and I speak of it with all respect. I think it is a wholesome fact. Then the next item is Mile End Old Town. There we return to the happy state of things.

13,977. After all in respect of that area we have now been considering what is your practical difference with Mr. Dickinson?—Oh, sir, I commenced by saying that although we approached the matter from different points of view Mr. Dickinson and I practically came to coincide. If one could conceive so wild a proposition as that we were appointed a boundary commission, I fancy we would after due argument unanimously arrive at the same result in every case. The next area is Mile End Old Town, which comprises two county divisions, one called Mile End Old Town and one called Stepney. The next is St. George's-in-the-East. That runs all through the area being the same for all purposes, except that it was not considered quite large enough for an electoral division, and therefore Wapping was thrown in with it for electoral purposes. St. Georges-in-the-East is a small parish no doubt, but again it is a place of strong and peculiar local life, and I do not know that I should propose to alter it merely because it is small. The next is the Limehouse District Board and the Stepney Union, which here chance to coincide. I mean that the groups of parishes formed at different times for Poor Law and Local Government purposes chance to be the same. They both include the four parishes of Wapping, Shadwell, Ratcliff, and Limehouse. In that case I should propose to unite the small parishes, preserving all points of names and local sentiment in whatever way that could best be done; but I should endeavour to make such arrangements that there should not exist four separate parochial organisations in that area. In other words, I should change the constitution of such a District Board into the constitution of a Schedule A. Vestry. The next area raises different questions again. It is the area of the Poplar Union and the Poplar District Board which again coincide, and which also coincide with two electoral areas, one of which is called Poplar, but includes a small part of Bromley, and the other is called Bow and Bromley. In that case the total population of the district is 166,750, and is growing. Here also my own impression is, though I am not prepared to pledge myself, that you have got to an area which it might be desirable to divide. I think the organisation of the District Board in Poplar and Bow and Bromley, although, I believe, it works better than some district boards, is unfortunate: and I know from matters which have come to my own knowledge that there are considerable separate interests in Bow and Bromley as apart from Poplar. My own inclination would be in that case to fuse the parishes of Bow and Bromley in one Schedule A. Vestry, and to make Poplar another Schedule A. Vestry. At the same time unless it were considered necessary to deal with all the District Boards at once, to suggest a scheme, I do not know that there is any very great reason for dissolving the Poplar District Board. I have already said that I think an independent vestry is a far better form of government than a district board.

13,978. (*Mr. Smith.*) Your love for that policy does not extend to the name of "vestry," I presume?—No. I agree cordially that it should have, if possible, a better name, but I am using the word "Vestry" for convenience. We talk of a Vestry as opposed to a District Board, meaning a Schedule A. Vestry. Then we come to Whitechapel District Board, which roughly coincides, though not quite, with the Whitechapel Union. It includes ten parochial places, Mile End New Town, Old Tower Without, Old Artillery Ground, Norton Folgate, St. Botolph Without Aldgate, St. Catherine's, Christchurch, the Minories, Whitechapel St. Mary's, and the Tower of London. You come here to another of the boundary anomalies, because a portion of the parish of Whitechapel St. Mary's is for Local Government, and also I believe for electoral purposes, in the City of London. The Tower of London is for Local Government purposes extra-parochial as well, and is not, as I understand, under the jurisdiction of the Whitechapel District Board. I have always had a good deal to do with Whitechapel since I came to London, and I may say that I constantly go on discovering more and more anomalies in the Whitechapel District. I conceive that that is one of the strongest cases in which you see the disadvantage of maintaining these numerous small parochial units under one District Board. I am not called upon to pass any exact judgment upon the government of the Whitechapel District Board, but what I would suggest is that, even apart from the question of needless expense, there are grave practical objections of all kinds arising from the continuous separate existence of these eight or ten parochial units. One case I can explain as an illustration. The district of Old Tower Without contained 29 houses in 1881, and had fallen to 11 houses in 1891. It raises a separate rate. In consequence of certain matters arising under the private Acts relating to the enclosure of old Tower Hill, a special rate is levied in connection with the maintenance of that space. This situation is complicated with the fact that a portion of a new road forming part of a great metropolitan improvement, which is now a great traffic way, goes over that same ground and through Old Tower Without. It therefore happens that these few houses must be always liable to be saddled with an enormous rate, and whenever it may be necessary to repair that road, the rates of Old Tower Without must become almost ruinous by reason of the accident that a considerable fraction of their so-called parochial area has become a great thoroughfare. Matters of that sort—I could mention many of them, but I need not detain the Commission, for they are fully gone into in a recent article in "*London*"—matters of that sort form a strong reason why areas of that kind in a district like Whitechapel should be fused. Abstracting from that fact, and from the question of boundary in Whitechapel St. Mary, and the extra-parochial nature of the Tower of London, I see no reason why the Whitechapel district, or rather the Whitechapel Union, should not be a good Local Government area. The next item is St. Giles'-in-the-Fields and St. George's, Bloomsbury. These were in the Act of 1855, if I remember rightly, a District Board. They have come to be united parishes; but although I with the officers of the Council made inquiry some time ago, I am not able to tell the Commission how far the two parishes of St. Giles'-in-the-Fields and St. George's, Bloomsbury, still continue to exist as separate entities, and how far they do not. This might, I fear, prove to be a conundrum exactly how far they are separate and how far they are not.

13,979. (*Mr. Smith.*) In that case the union has been rather one of perfection?—I imagine the separateness still continues for certain purposes of salary; that is the conclusion I arrive at so far as my knowledge extends, but I am not able to speak confidently.

13,980. They have a separate maintenance?—The district as it stands is a small district in population. It is only about 40,000. Nevertheless, as it is the same for poor law and local government purposes, and as it has what I call a local public spirit to a considerable extent, I should see no reason for altering it. Next to it I come in my return to Lincoln's Inn and Gray's Inn, which are extra-parochial; but as to these no very particular question arises about local government matters, because I believe they do their own sanitary work. I think, as regards the

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Inns of Court the chief practical question is what contribution they shall pay to the general Metropolitan rating. I do not know that they pay sufficient at the present time. Neither do I know why they should uphold their exceptional privilege; but if they pay their share, their own members are the persons chiefly concerned, and it is a matter of convenience rather than of efficient government. The next item is Holborn Union, which is one of the difficulties. It includes nine parishes or parochial places. These are Staple Inn, Furnival's Inn, the United Parishes of St. Andrew and St. George, the Precinct of Saffron Hill, Hatton Garden, with Ely Rents, the Parish of St. Sepulchre, the Liberty of Glass House Yard, the Parish of St. Botolph Aldersgate, the Parish of St. Luke, the Liberty of the Charterhouse, and the parish of St. James and St. John, Clerkenwell. Of these St. Luke's parish and the Clerkenwell parish are independent Schedule A. vestries. Four of the others are extra-parochial places, as their names will have indicated: and the remainder is the area of the Holborn District Board. Now I confess here again that I regard this as one of the doubtful cases, if I may say so, between Mr. Dickinson and myself. Assuming that small parishes are fused and that all the extra-parochial places ceased to be extra-parochial for all reasonable purposes, there remains the question, whether you shall take the whole union as one community, or whether you shall respect the existing autonomy of St. Luke's and Clerkenwell. I confess I think it is a very arguable point. My own preference—as there is, I think, no local patriotism in the union as a whole, and as there is a certain amount of it more or less in St. Luke's and Clerkenwell,—my own preference would be to leave the existing local government areas alone as far as one can; that is to say, to make the Holborn District into a Schedule A. Vestry, to unite all the parishes that form part of it, and to leave St. Luke's and Clerkenwell as they are. But if it were strongly impressed upon me that the Holborn District ought to be joined to St. Luke's, for example, I do not know that I should resist that view. I think Clerkenwell has sufficient local patriotism to make it worth preserving, and it has a population of from 65,000 to 70,000. I cannot tell quite whether it is really going up or down. Clerkenwell, I should say, forms a separate parliamentary division under the name of Central Finsbury, and that is an additional reason why its autonomy ought to remain. St. Luke's goes with a portion of the Holborn District to make up the electoral division of East Finsbury. The area that comes next is the Wandsworth and Clapham Union; as to that Mr. Dickinson has himself very great local knowledge, and I may say that I understand that he in that case rather departs from his principle of adopting the Union as a unit, by reason of his local experience. I understand that he agrees that the separation of the Battersea Parish from the rest of the Wandsworth District Board was desirable; and that he is inclined to think, as I am inclined to think, that the Wandsworth District Board as it now stands is too large and must be again sub-divided. Practically that means that you must divide between Wandsworth and Clapham. The parishes concerned are Putney, Streatham, Tooting Graveney, and Wandsworth. There, again, I think you come on the same difficulty, the multiplication of the small parishes under a District Board, but I suggest that it need not continue. The only parish areas which I think it would be necessary to maintain are Battersea and Clapham and Wandsworth; and I think in the ultimate scheme these three might perfectly well be Schedule A. Vestries. That practically follows the Parliamentary constituencies.

13,981. (*Chairman.*) Would not Putney form a considerable individuality?—Some day it probably will, but I should say it was not ripe for separate government at the present moment.

13,982. Incorporated with what?—Well, sir, I have not the map before me. My suggestion was, and I thought that it concurred with Mr. Dickinson's own view, that the division of the large area which is now under the Wandsworth District Board, would naturally take the form of separating Wandsworth and Putney considered as one area, from Tooting Graveney, Streatham and Clapham considered as another. As to whether in that case there would be any necessity for suppressing the parochial existence of Putney, I have no local information; but my own impression is that it is so very desirable to prevent the continuance of the District Board system that I should sacrifice a little in the way of the parochial tradition to arrive at uniformity in this respect. I mean that the District Board system, involving indirect representation and double staff, and other matters, seems to me well worth destroying, even if one has to pay a little for uniformity. If Putney remained a separate parish, I fancy it would some day lead to a repetition of the difficulty between Stoke Newington and Hackney; whereas if you created a United Parish of Wandsworth and Putney, there would be a greater chance of permanent cohesion. Then comes St. Saviour's Union. St. Saviour's Union is a district of very great complexity. It includes four parishes, St. Mary, Newington; St. Saviour's, Southwark; Christchurch and St. George the Martyr. Christchurch is a very small area, and is one of the small parishes which I think ought to be fused. Newington parish is at present a Schedule (A) Vestry, and is electorally divided into the constituencies of West Newington and Walworth. That, I think, is an area which might be well retained. Its total population is 115,000. The rest of St. Saviour's Union, the three other parishes, now make two local government areas. St. George the Martyr parish is a separate Schedule A. Vestry; and St. Saviour's, that is to say, St. Saviour's, Southwark, and Christchurch form together a District Board. If the parish of Christchurch were fused with St. Saviour's that anomaly would disappear; but you would have then two very small areas, St. Saviour's District having only 27,000 population and St. George the Martyr having 59,000. I think in that case it would probably be desirable to fuse these two again into one Schedule (A.) Vestry. I do not know if there is any great local reason against it. Although they have a separate existence I fancy that the districts are very much the same in many respects and very closely connected, and I do not see that there would be any inconvenience in fusing the two. The St. Olave's Union consists of the parishes of Bermondsey, St. Mary; Rotherhithe, St. Mary; St. James, Southwark; St John, Horslydown. There, again, St. Olave, St. Thomas, and St. John are all very small parishes. These three form the St. Olave district board. The parishes of Bermondsey and Rotherhithe are now independent. In the whole of this area, including St. Saviour's district and St. George the Martyr, and Bermondsey, Rotherhithe, and St. Olave, the boundaries for parliamentary purposes cut across the local government boundaries in a very confusing manner. My suggestion is that the Bermondsey parish, which contains 88,000 inhabitants, should remain independent, and probably it would be wise to fuse the St. Olave District with the district of St. Saviour and St. George, which is somewhat analogous in character, and with which it is much more of a natural neighbour than it would be with any other that I know of. The small parishes in the area should, as in other cases, be fused if possible.

13,983. (*Chairman.*) You propose to keep Bermondsey by itself and Rotherhithe by itself, and to fuse the others?—That is the nearest way out of the difficulty I can suggest.

13,984. Bermondsey absolutely separates Rotherhithe from St. Olave on the map?—Yes.

13,985. What comes next?—The Penge difficulty comes in again at this point; the next important area is Lewisham. The Lewisham District Board, which has nearly 100,000 population, at present includes Penge for local government purposes, and I

am afraid that that arrangement must necessarily come to an end. I understand that Penge already has a separate rate and separate debt, and it is geographically cut off from Lewisham. We are told in the Local Government Committee that there is a certain anxiety on the part of Penge even to become a separate area rather than continue as at present, because in that direction also the boundary of the county will some day have to be altered by taking in parts of the adjoining county which are now in our drainage area, and which are now practically homogeneous with Penge. But I am afraid it is impossible to carry that out at the moment owing to the smallness of Penge, and I have no practical suggestion to make as regards the Lewisham district for that reason. The Lee district forms with the adjoining district the Lee Union; but there I should certainly say, and I think Mr. Dickinson would agree, that it would be quite undesirable to follow the area of the union. Lee was created by the severance of Plumstead from the previous union, by a very recent Act of Parliament, and I think it is clear that Lee must for the present continue to be one area. Probably after it has filled up, it will, itself, have to be divided. Then follows the Woolwich Union, which clearly must not be adopted as a local area, because it includes the ancient local board of Woolwich parish, the parish of Plumstead which has recently been made independent, and two parishes in the Lee district, namely, Charlton and Kidbrooke. There, again, I think it is desirable to put an end to the separate existence of the last-named parishes, although, perhaps, in a comparatively rural portion of the county like this, the reasons are not so strong. Greenwich Union, which is also the Greenwich District Board, follows next. The area also comprises the parishes of St. Nicholas, Deptford, St. Paul, Deptford, and Greenwich; and I understand, although we ourselves have not had the carriage of it, that there is a Bill now in Parliament for dividing that area into an independent parish of Greenwich, and a district board of Deptford. That was suggested some time ago informally in the Local Government Committee, and I think we considered that it would be a desirable course. But I think we would much have preferred that the same Bill should have put an end to the separate parochial organisations, and created two Schedule A Vestries. I cannot speak exactly as to the provisions of that Bill, but I do not think it proposes to do that, though of course it may follow in another session. I believe, however, that there are strong reasons why the small parish of St. Nicholas, which has a decreasing population, and had only 922 houses in 1891, should be amalgamated rather with Greenwich than with St. Paul's, Deptford, which is already separated from St. Nicholas for Parliamentary and County Council elections. I may take this opportunity of saying that, although the provisions of the Acts of 1888 and 1894 as to uniting parishes are apparently very sweeping, we are in great doubt how far they can be made applicable to the peculiar circumstances of London without the cumbrous machinery of special Acts for each case. Then follows the City of London Union. As to that, the only question that arises is the question of variations of boundaries in the extra-parochial places that lie upon the borders of it, of which I have already spoken. The ultimate result of such a scheme as I have ventured to suggest would leave you a little over 40 areas, and would practically or altogether provide areas of direct representation instead of district board areas, without in my judgment interfering in any way either with local centres of public spirit or with any serious question of local sentiment and tradition. No doubt there might be some objection to absolute annihilation of existing parochial names, but in the cases where we have had experience of it I do not think that the rectification of small questions of parochial boundary, or the fusion of two parishes under a joint name, has created any excitement even in the minds of those most attached to London traditions, and I think that a policy of that kind can be followed with very little friction and very great advantage to London government

13,986. (*Lord Farrer.*) Have you formed any opinion whether it would be desirable to approach this difficult subject by degrees, for instance, working through the London County Council or the Local Government Board, or to do it at once by a Commission?—My own preference, purely as a practical matter, would be for proceeding more or less gradually. I confess if this Commission thinks it within its province to deal with the matter I should be glad to see a somewhat complete proposal put before the public for consideration and discussion, but my own feeling has always been that it would be more difficult to carry through Parliament a complete scheme for dealing with all the difficulties at once, than it would be to set up machinery of a sufficiently strong kind to deal with them a little less suddenly. If I had to give an opinion as to what sort of Bill I should prefer, I must say I should prefer a Bill, or clauses in a Bill, which would create an authority, say the London County Council or any other—I am not jealous of the power—which would be charged in effect with solving these problems in a term of years, subject to local inquiry and local comment, the schemes to be confirmed by Parliament if necessary.

13,987. That would be on the lines of clauses which already exist in the Act of 1888 enabling the County Council after inquiry by the Local Government Board or otherwise to alter boundaries?—As a matter of fact in the Act of 1888, and in the Act of 1894, the apparent powers for the alteration of boundaries are, as I have said, very large, but the difficulty in London arises from the existence of an elaborate code of exceptional legislation, including the innumerable and chaotic local Acts. If there were no local Acts in London, and if there were sufficient public force moving from the localities in favour of this adjustment, it could be done, but we are constantly faced with serious legal difficulties as to whether the provisions of some local Act which everybody has forgotten would not render any order invalid, and there is not of course any great amount of local public force moving in matters of this kind. An influence of that kind rather proceeds from the centre than from the districts themselves, because it is chiefly at the centre that the inconveniences are strongly felt. There are plenty of people in Whitechapel who are aware they are paying for certain local offices which do nothing, but the people in that particular district, except in the case of the Old Tower, where they are suffering from a high rate, do not feel it in any such strong form as leads the ordinary citizen to move. When by any chance they do, they are without the necessary materials as to the law on the question, and it is very difficult for them to take action, especially as their administrative officers are the very persons who would be opposed to the change. Even in so simple and popular a matter as the improvement of wards and polling districts in order to enable people more easily to record their votes, my Committee practically had to ask to be set in motion over and over again, even in cases where everyone was agreed that the previous state of things was very bad indeed. My feeling upon the whole question has been that I have, in truth, almost despaired of ever seeing what is commonly called the District Councils Bill for London. I see that any such Bill must consist of two portions, each of which involves enormous friction. One is the adjustment of areas and the other is the adjustment of powers. And I confess it does seem to me that, as the matter will develop, both these subjects can be dealt with more easily in the parliamentary sense by a gradual movement and by the consolidation of a machinery that can solve the difficulties as they arise, than by attempting to do it *uno ictu*.

13,988. (*Mr. Smith.*) Of course you concentrate opposition by dealing with everything at once?—That is a very important point. My feeling as regards powers is free, I am sure, from any jealousy of the local authorities. I have read closely the evidence

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which has been given you in what I may call opposition to the County Council, and also the evidence in which Mr. Dickinson has dealt with it, and I agree almost entirely with Mr. Dickinson's view. We have heard a great many suggestions made as to transferring various powers to local authorities. As the representative of Chelsea, the Chelsea Vestry, who have taken an active part, and I think a reasonable part in the matter, have pressed upon me various things which they thought were desirable—for instance, matters of the alteration of jurisdiction under the Building Act, and matters with reference to the administration of various small Acts which have been mentioned to you frequently. I have myself no sort of desire to accumulate small matters of detail like infant life protection and weights and measures on the machinery of the Council, which must be heavily loaded in any event; but nevertheless I must say that I agree with Mr. Dickinson that in most of the cases which have been brought before you, there are very considerable reasons for a central administration rather than local administration, merely in order that the administration may be steadily and surely done. Some of the good vestries would do it as well, but we all know that there are many places where, because of the local power of the interests assailed, or because of the mere expense of creating machinery, you would not get these Acts administered at all.

13,989. (*Lord Farrer.*) I rather gather from what you have said altogether that in giving us this opinion, which is extremely interesting, with a view to any future arrangement of London, you do not think that it would be wise that we should encumber our plan with any distinct proposals for making alterations in London?—I confess I was moved to state this to the Commission, because the matter had been opened out as a kind of opposition to any unification scheme, and as incidental to the astounding, and, if I may say so, the very ignorant proposals made as to the creation of so-called "municipalities." I did not at first anticipate that this Commission was going to cover that matter, but to a certain extent, no doubt, it arises logically out of the question of what is to be done with the City, and I think, if I may say so, that this Commission would be doing a great service to London if it did state a policy. I do not suggest that that would properly be part of any Unification Bill.

13,990. (*Chairman.*) Not necessarily a part, at any rate. We are much obliged to you for your contribution towards it?—I may say, with reference to the things that have been said about the establishment of separate municipalities in London, that a great part of my early life was spent in Glasgow, and I have had an opportunity of seeing the working of municipalities in many of the northern towns, especially Liverpool. In my opinion it is absolutely impossible to create municipalities upon that basis, however you remodel the areas in London. If you attempted it you would find that you had destroyed exactly what these gentlemen profess to foster—the possibilities of local public spirit in the different parts of the metropolis. I submit, on the contrary, that it is at once the progressive and the conservative policy to develop the existing situation on the lines upon which it has been created.

The witness withdrew.

Adjourned till to-morrow at 11 a.m.

TWENTY-NINTH DAY.

At the Westminster Palace Hotel, Westminster, S.W., Friday, 8th June 1894.

PRESENT:

THE RIGHT HON. LEONARD HENRY COURTNEY, M.P., CHAIRMAN, presiding.

LORD FARRER.
MR. ROBERT DURNING HOLT.
MR. EDWARD ORFORD SMITH.

MR. GEORGE EDWARD YORKE GLEADOWE, C.M.G., Secretary.

Dr. G. B. Longstaff, M.A., M.D. F.R.C.P., D.PH.

8 June 1894.

DR. GEORGE BLUNDELL LONGSTAFF, M.A., M.D., F.R.C.P., D.PH., recalled and further examined.

13,991. (*Chairman.*) We were considering the advantage of the intervention of the central authority, the County Council, in respect to the construction of buildings?—Yes, when I left the room I think Lord Farrer was cross-questioning me about the desirability of having the surveyors direct officers of the Council.

13,992. (*Lord Farrer.*) I think we had nearly finished that subject: I had merely asked you a question whether the subject had been considered or not?—I should like to add one thing. A Commissioner asked me if there was any suspicion of improper fees passing to the surveyors. In respect to that I only wish to say this, that I do not see myself that the danger, which is an obvious one, would be any different, either greater or less, whether the supervision were local or the supervision were central, it seems to me an inherent difficulty of the situation.

13,993. Supposing the officer were a statutory officer?—I do not think it would make very much difference in either case; I think the same charges are freely bandied against the local surveyors under the present law.

13,994. Still, is there not this difference, that in the case where the work is done for a public department or for a public body, and payment of fees is made to that body, there the payments pass entirely between the person for whom the business is done and some officer of the Council or of the public body, apart from the surveyor, whereas in the present case the money passes direct from the builder, or whoever it may be, into the hands of the surveyor?—But I see no difference between an illegal addition to an amount which is legally tendered and a payment which is made apart from the account.

13,995. A bribe—a separate bribe?—A separate bribe; I do not myself quite see the difference.

13,996. I think we found certainly in the public departments that there was greater security where you have the whole of the money transactions passing between the department and the person with whom business is done than where the money passes into the hands direct to the surveyor who does the work?—I think, as far as popular belief goes, that where there are no fees at all in the case, and the supervision is

by the local authorities, the charge of bribery is not unknown.

13,997. That is perfectly true?—Where the question of fees does not arise.

13,998. On the other hand, where the officer is purely and entirely an officer of the Government, and is subject to their control altogether, they have a greater hold on him, have they not, than if he were an officer whom they merely appoint and who has to take his fees, fixed by statute, from the persons for whom the work is done?—I do not really see that there is any difference, because although the district surveyor is an officer of the statute, the County Council has the power to dismiss him, and I think it has been admitted that the County Council even has the power to dismiss him without stating the precise reason.

13,999. You told us so?—I instanced a recent case.

14,000. But surely a Government department has a stronger hold over persons who are entirely its servants, who are promoted or dismissed on its directions, and who have to obey its directions, than it has over a surveyor whom they merely appoint, leaving him to do his work under certain rules which are independent of both?—That may be so, but there is a very general belief, I should say as general as the charge of corruption against district surveyors, quite as well founded, that the present local surveyors under the local authorities are bribed by large commissions from contractors; there is a strong belief in the suburbs that a great deal of granite curbing and tar paving is laid down that is totally unnecessary. It is always recommended by the local surveyors, and reasons are assigned for those recommendations, and I do not see that the local authority has ever been able to get at the real facts.

14,001. That may be quite as much due to the difference between the local authority and the County Council as between the two modes of appointment, may it not?—I do not quite see your point in that.

14,002. What I mean to say is: you have told us before that you thought altogether local authorities were more open to local pressure than the County Council is?—Yes.

14,003. And the officer of the local body being, if we may say so, a less independent person, is perhaps himself more open to pressure or to inducement than the officer of the County Council?—That is very possibly so; yes, that may be so.

14,004. (*Chairman.*) Have you ever heard any suggestion that in the great spending departments of the nation, the adoption of contracts—the favouring of this or that tender—was facilitated by douceurs received by the officers of the nation?—I think there is no question. I might almost say that I have personal evidence that it is so. I think there is no doubt about it that the Council as at present constituted is very strongly indeed in favour of purity, and that any such attempt of any local man to exercise any influence is resented by the majority of the Council very strongly. I have much pleasure in saying that.

14,005. You feel that strongly?—We feel that strongly, that where individuals have tried a little—they were individuals perhaps that did not know better—the enormous majority of the Council resented it entirely.

14,006. (*Mr. Smith.*) Has the question of private practice any bearing upon this point? Do you think a man is less likely to be induced by improper considerations if he were not practising, than if he were a practising architect?—It has been alleged that this has been done: A. and B. are two district surveyors in adjoining districts. Neither is allowed to practise within his own district—that is a condition which affects all, except a very few seniors appointed under a previous Act.—It is alleged that A. always recommends that B. shall supervise a building that he is carrying out, and B. always recommends that A. shall supervise his building: I am not aware that there is any truth in it, but that has been alleged.

14,007. (*Lord Farrer.*) There is a perpetual demand, is there not, on the part of the public for increased inspection, increased regulation, in almost every direction?—That is so.

14,008. That involves a large increase in inspecting and surveying staff?—Necessarily.

14,009. And to whatever extent there is a danger of corruption, that danger is increased by the great increase in the number of surveyors and inspectors?—I should think so, yes.

14,010. And that danger will not be removed, will it, by the Council undertaking a very great deal more of this work itself?—You are now referring to the question of contracts?

14,011. Yes?—I would rather not go into that question; I have no special knowledge about it; I would rather not go into it.

14,012. Then I should like just to put this further question: the great safeguard against corruption in these matters is a strong feeling amongst the persons themselves concerned, is it not, that they lose caste if any suspicion of corruption should fall upon them?—Yes, what I should call a high professional tone.

14,013. A high professional tone, that is the feeling of the people amongst whom the officer, or whoever he may be, lives, and the feeling that he will lose caste if he is suspected of corruption?—I think so.

14,014. That is the greatest security we can have?—I think the greatest security is rather what I should call, using the same term, professional security. I think these men think more of what their fellow men doing similar work think of them than they do of what the outside people think of them.

14,015. *Esprit de corps?—Esprit de corps;* therefore in this question of district surveyors I think we should try to get the architects who stand best with their own profession, and they would not descend to doubtful practices because they think that they would thereby lose professional caste.

14,016. They think this very important?—I feel that very strongly myself.

14,017. (*Chairman.*) That feeling should be supported by adequate remuneration?—I feel that very strongly too, but I think there is one point about possible corruption that has to be borne in mind. There are two ways in which it may occur, what I may call the wholly illegitimate and the partly illegitimate way. The wholly illegitimate way is where a man, for the sake of his own pocket, wishes to break the law in falling short of the legal requirements, and tries to get a district surveyor to connive. That is obviously without any palliation of any sort or kind. But there is, secondly, the case of an architect making a building on behalf of a wealthy client, where the question of cost does not come in, but where, owing to the speciality of the circumstances, a reasonable common sense man would exercise a little latitude in interpreting the Act, but where a man being of a narrow-minded, often of a timid, character, sticks to the letter of the Act, insists upon the letter where it is wholly unreasonable, and where a common sense man would say it was inapplicable, and any Court of Appeal would say it was inapplicable. And then there is a very strong temptation to say "well we "must get the thing through somehow." There are no doubt cases, I have heard indirectly in a remote way of cases where sums of money have passed, where, as I say, there is some palliation; of course the thing is wrong, there is no doubt about that, but there is a palliation.

14,018. (*Lord Farrer.*) The man is too timid to use his judgment, but not too timid to accept a bribe?—Well, that may be so, but I think that that would be worse with the local official than with the central official. You would probably get a man of lower professional standing and narrower views.

14,019. (*Mr. Smith.*) Now, going back to the question of a local surveyor, I suppose there is another case. Of course, as you say, any direct bribery for the purpose of shutting his eyes to bad work is utterly

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unpardonable, but there may be cases of this kind where an improvement that is not absolutely necessary in the public interest is sought for by the owner of property, sometimes that improvement is prematurely carried out by a local surveyor. Have you ever met with that case for instance, such as curbing and paving in the fronts of the houses, or making unnecessary approaches to buildings?—I think that an immense deal of paving and curbing is carried out unnecessarily, and I have always felt myself, without specifying it, that the local surveyor must have some interest in such work being carried out. In the suburbs that is undoubtedly so.

14,020. It is of course morally wrong, but not quite so grievous as accepting bribes for passing bad work?—Well, my interpretation—perhaps it is illegitimate reasoning—my interpretation is that the surveyor gets a commission on all such work carried out, and if so that is as immoral as the other.

14,021. Yes in that case it would be; I only mean work which would have been done a few years hence anyhow, being done prematurely to suit the convenience of the particular building?—I see your point; that would be a minor thing; that would occur no doubt to the personal knowledge of the surveyor.

14,022. That would be wrong, but not quite so heinous as the other offence?—That would be more likely to occur in a local officer than a central officer, in the special relationship that would be established between them.

14,023. (*Lord Farrer.*) But the central officers do very little work of that sort, do they?—That particular work, but you see it is proposed that these things should all be under one department; that is the proposition of the vestries, and therefore it has a distinct bearing upon the matter.

14,024. (*Chairman.*) Now have you anything to tell us, Dr. Longstaff, about special buildings?—Special buildings; there is a clause of the Act that, where the rules of that Act do not apply, the individual proposing to erect such buildings shall make application to the central authority and ask for special construction contrary to the Act. Many of these cases are trivial; for instance, I have one myself, I have an observatory; an observatory must necessarily have a moveable roof with an opening in the roof and certain other things which are quite contrary to the Building Act. That I call a trivial matter; it makes no difference to anybody except myself whether it is done or not. And such licences are issued almost at once if proved to be *bonâ fide*, but you do occasionally have very exceptional structures; there is a very notable one at the present moment, the most exceptional that has come to our notice, and that is the Graydon Wheel at Earls Court; it is held to be a building or structure which comes under the Building Act. There is a partial precedent for it in Chicago. In such a case the central authority has the advantage in being able to consult a skilled engineer with a staff of engineers, and we have thought it right in the public interest to have all the strains calculated by experts as to whether the proposed structure is strong enough. We are going to license that structure, still leaving the responsibility for its carrying out on the individuals. We have passed all the drawings, but we are going to license it after very severe tests under our engineer.

14,025. What is the character of this structure?—It is a bicycle wheel; I can describe in this way—as a bicycle wheel, the height of what I think they call the Stone Gallery in St. Paul's, with a number of American or Pullman cars, about 16 I think, hung around it round the periphery of the wheel, and revolving, slowly by an electrical engine. They will give a view of London for, I suppose, a shilling or so.

14,026. (*Mr. Smith.*) It would be desirable, I think, for the Commission to patronise it.

14,027. (*Lord Farrer.*) Is this to be a permanent thing?—We are only going to issue a licence for a year. We have just notified them by letter that we are to examine it again at the end of the year.

14,028. (*Chairman.*) For the exhibition?—They had one at Chicago for the Exhibition. The one at Earl's Court is about 100 feet higher.

14,029. It is the ordinary thing you see at a country fair only on a magnified scale?—It is; it is the whole resources of modern engineering applied to the roundabout.

14,030. (*Mr. Smith.*) Only this roundabout is vertical; the old roundabout is horizontal with the boats and horses?—Here they are just like Pullman cars. Obviously such a thing as that could only be supervised by a central authority.

14,031. (*Lord Farrer.*) Then is there a power in the central authority to grant exemption from all these rules in special cases?—In a great many cases there is not, but in spite of the views of the Home Secretary, we feel that if there were much greater power of granting exemption than there is now, power which is provided in the Bill now before Parliament, and has in many cases been extended at the desire of our opponents, we feel that one source of the possible temptation to bribery that I alluded to would be stopped, *i.e.*, the case of the wealthy person who wants to carry out a certain scheme and wants to get over a technicality; it would enable him to get over that technicality without having to resort to undesirable practices.

14,032. (*Chairman.*) You feel that the thing will have to be done, and that it should be done in a legitimate rather than an illegitimate way?—Quite so.

14,033. What about advertising hoardings?—The advertising hoarding is a thing that has come to the front lately. The Council has power of control over irregular structures which do not conform to the Building Act, and has used that power to control advertising hoardings—restricting them in height. It is admitted that a man who has taken land should enclose it, and he is allowed to have an enclosure of reasonable height, of 12 feet, and anything that exceeds that is refused by the Council. There are various grounds for this. These hoardings are dangerous; they blow down; they are extremely unsightly, and we feel that it is undesirable on every ground that land should be kept free from buildings, as it often is where it is found more remunerative to put hoardings upon it and let it in that way without locking up so much capital. A notable instance is the northern end of the new Putney Bridge; you possibly may have seen that there are several plots of ground surrounded by lofty hoardings. The plots have been in the market for years; they do not attempt to let them now; they simply have those hoardings upon them. That perhaps might be regulated by the local authority.

14,034. (*Lord Farrer.*) There was an Act passed enabling local authorities to rate these shortly ago?—That is so. That is one reason why we think it well that they perhaps might have the control. Another reason is that when a building is going to be constructed it is necessary in a town to surround it with a hoarding often extending the whole height of the building or nearly the whole height. Those are now licensed by the local authority. It probably would be more symmetrical and convenient if all hoardings were treated by the local authority.

14,035. (*Mr. Smith.*) Is there not a slight danger there; might not the local authority look rather to the rateable value than the safety of the public?—That is true, but here it would be to their interest that the land should be built upon rather than that a hoarding should be put up, because however much they rate a hoarding, they rate a building much more; so I think in that particular instance it would cut the other way.

14,036. (*Chairman.*) Would you have any bye-laws of a general character laid down in respect of these hoardings?—Oh, I think that would certainly be necessary to secure something like uniformity.

14,037. (*Lord Farrer.*) Are there not some bye-laws or regulations of the kind?—It is now ruled by an order of the Council. The question having

arisen, the Building Act Committee brought up certain proposals, and they said that in future the Council would proceed against all hoardings which exceeded such and such dimensions.

14,038. There was a debate in the Council upon them?—There was a debate in the Council, and the dimensions proposed by the committee were increased, and they now remain a fixed regulation. You see as long as the Council has a discretion it may work that discretion by rule, and that is what it is doing now; no byelaw is requisite.

14,039. (*Chairman.*) And how does it proceed in the case of a violation of its regulation?—Notice is served on the people to reduce.

14,040. If they are not reduced?—If they are not reduced then a magistrate's order is obtained.

14,041. And you simply prove that order?—That is so.

14,042. Not the reasonableness of the order?—No, I do not think the magistrate would deal with that at all unless the owner could prove that it was not a structure of the kind described in the order. If he could show that he was going to begin building the next week or something of that kind he would have a right to the higher hoarding. We generally grant special exemption in the case of that very cumbersome proceeding of a man erecting a hoarding to protect his ancient lights. We then have sometimes to couple it with the condition that he shall not use it for the purpose of advertisement, to make the thing as little unsightly as possible.

14,043. And similar principles apply to the regulation of sky signs?—Yes, they do, but with this difference, that it would be a very difficult Act for the local authority to enforce, because I think the power of the tradesmen to resist it might be very great indeed locally. We have enforced it against members of the Council on more than one occasion without any difficulty, but I do not know that we should have done it as easily against fellow members of a vestry.

14,044. Within the City of London the local authority is the authority to enforce it, is it not?—I think it is.

14,045. (*Lord Farrer.*) I am pretty sure it is?—It is.

14,046. (*Chairman.*) Have you any knowledge of the way in which the power is exercised there?—I have not specially inquired into that; I cannot say.

14,047. (*Lord Farrer.*) Might that difficulty not be met by some such provisions as exist in some other places, to the effect that if the local authority do not do their duty the Council may do it for them?—That would be a very salutary provision if it were handed over.

14,048. (*Chairman.*) The first time public attention was forcibly called to the matter of sky signs was in relation to sky signs in the City?—It was in relation to Hudson's sign at the foot of Ludgate Hill, which, I believe, rivalled St. Paul's and eclipsed St. Paul's; it occurred in the month of August, when the newspapers are generally open for communications, and the result was that it was taken down by the proprietor, who had just expended several hundred pounds upon it. The County Council took the matter in hand, and obtained the Sky Signs Act.

14,049. (*Lord Farrer.*) And in that, I think, they tried to get power to act in the City as well as elsewhere, and I think the City succeeded in maintaining their own immunity from the Council's jurisdiction?—Yes, that is so. There was a very interesting case. A member of the Council had a very large sign, and he did not comply with the standing orders, and was technically outside the privileges of the Act, but we allowed him, as we have allowed very many people, to take his licence from the date of the commencement of the Act. When they discover the Act, being ignorant of it, we say: "Well, if you "like to accept the licence dated back so many months "we will grant it to you." This sign was surveyed, and the fees were paid; I forget, now, what they were, three or four guineas, because, I think, some two surveys had to be made. There was a gale of wind, and the sky sign blew down within three days, I think, of getting the licence. We sent an engineer to examine it, and it was found there was a flaw in the iron-work which never could have been detected, so that the substantial danger of such constructions was very clearly proved in that case. We have got rid of Bovril and of a big sign at Clapham Junction. The gale of last December in one case blew down one letter, and in the other case several letters were blown down. The owners of sky signs have to take down the whole sign if a single letter drops.

14,050. (*Mr. Smith.*) That is a case where a little laxness of suspension might be very desirable.

14,051. (*Chairman.*) On the whole, you think that might be administered by the local authority, with recourse to the central authority if necessary?—If the central authority reserved powers to enforce, I think it might, but only in that case.

14,052. Now, as to temporary buildings?—There is one more thing I should like to add. The Sky Signs Act will come to an end in five years from now, and it will be a great pity, in my opinion, to transfer anything in which the whole machinery is going and which would very soon perish. After five years the matter will be a simple rule that you may not erect a sky sign, but the licensing of the existing signs will come to an end, the last of them, I think, now, it is in five years and a few months.

14,053. (*Lord Farrer.*) There will be no more then?—There will be no more then.

14,054. (*Chairman.*) No more new ones?—No more new ones.

14,055. How about the existing ones?—They are all licensed for limited terms under the statute.

14,056. Will they require to be taken down?—The last licence will expire in five years.

14,057. And they must be taken down?—They must be taken down.

14,058. (*Lord Farrer.*) The last licence of existing signs?—The last licence of existing signs. There is no power to put up a new sign, it is merely vested interests; they are given six years as long as they are in proper repair.

14,059. (*Chairman.*) Is this a Public Act?—It is a Private Act.

14,060. Well, then, as to temporary buildings?—Temporary buildings; there are two aspects to that; first, the surveying of them, as to their being substantial, and so on, which would clearly have to be done by the same officers as those who supervise building construction in general. It would not do to have a separate set of officers to survey temporary buildings, but the other question, which concerns the County Council a great deal more, is the question of decidings whether they should be licensed or not, and that is very largely a matter of local feeling, local circumstances, and local surroundings, and we feel that that is a question which, without altering the present control of the district surveyors at all, might perfectly well be settled by the local authority. I see no objection to that.

14,061. Then you would have a double authority dealing with them?—In one sense you would, but it would be merely that the permission would be sough from the local authority instead of the permission being sought from the County Council. There is now a double authority. There is the district surveyor, who has to report as to construction, and the local authority, that reports as to the question of desirability or otherwise. There was a very great fuss made not far from here about one of the panorama buildings which possibly might have been obviated if it had been in the control of the local body.

14,062. Will you explain what that was?—It was simply a question of licensing panorama buildings on a piece of vacant land, and the people rose in arms against us afterwards, and we certainly should not have exercised our discretion in the affirmative had we known of the great local resistance; but we were not aware of it.

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14,063. (*Lord Farrer.*) Was that Niagara or Waterloo?—I do not think it was either one or the other. I think it came to grief. It has been taken down since; the whole thing fell through; it was on the site of the cathedral; Cardinal Manning had a plot of land, Ashley Place I think it is called, just over here.

14,064. (*Chairman.*) Neglected structures?—The "Neglected structure" is a curious thing altogether. I do not know if there is anything like it in the provinces; but you may remember, possibly, two buildings in Stamford Street, Borough, for a long time, that had all the windows broken.

14,065. There were one or two buildings somewhere in the north-west of London?—That I was not familiar with, but I was familiar with the Stamford Street buildings.

14,066. Similar houses in what was then called Skinner Street, now covered by the Holborn Embankment?—That I am not prepared to say; but anyhow, in two or three parts of London it was found that buildings which had been abandoned practically by their owners from one cause or another became such a nuisance as seriously to depreciate property in the neighbourhood, and it was felt right that there should be a power to compel the owner either to rehabilitate them or to remove them, and this is exercised chiefly in regard to small cottage property. I see no reason whatever, neither do my committee see any reason, why this should not be transferred, as matters are now, to the local authority. No particular technical knowledge is required, any intelligent person can say whether a building is neglected, and there is no particular difficulty in carrying out the Act, and it would work in conveniently with the administration of the sanitary Acts. In fact, I do not myself see any reason why this should not be transferred by the Bill now before the House. I shall very likely take counsel, and possibly raise the point.

14,067. There are some few structures of that kind still about, I think?—Oh, we remove three or four every week.

14,068. (*Lord Farrer.*) Indeed?—Well, two or three every week, at all events, appear on the agenda paper. I should say two or three, perhaps there are half a dozen on the agenda paper every week, but of course there are adjournments and so on.

14,069. (*Chairman.*) Do dangerous structures come in the same category?—Dangerous structures are a very much larger question, and one that has caused more difficulty in the administration of my department than any other. There is also a great deal of doubt as to what constitutes danger, and where you are to see danger, and there is a machinery whereby when danger is reported to the County Council the County Council shall send "a competent surveyor," the Act says, to survey, and the competent surveyor says whether the building is dangerous or not. Then there are certain powers of hoarding and shoring and issuing orders to the owners to amend the danger, and there have been a great many complaints that the district surveyors do this wrongfully, that they deal with very trivial things. These complaints always come from people who are strongly interested, and we have investigated a number of them, and usually find that they are grossly exaggerated. Of course one has to bear in mind this fact: take the building opposite me, it has a balustrade at the top. If it became rotten, disintegrated, two or three of the stones of that balustrade would be an exceeding danger to the people passing along this street, although it might be said "It is only two blocks of stone," and in the necessary supervision of getting that put right there might be fees and office charges and so on amounting to two or three pounds, and yet the mason's bill in putting it straight might only be 30*s*. They say it might be a great hardship, but you would find a single brick falling from the top of that house would be quite sufficient to constitute a serious danger. So you can quite understand how the account of interested people is not always to be believed. The question of dangerous structures is not one that the man in the street can decide upon. I ventured once to give an opinion myself about a dangerous structure, and came to considerable grief over it. It requires high technical knowledge and very long experience, and even then it is always a question whether a cracked, or leaning, or bulging house is a dangerous structure or not. It is one of the most difficult things for an architect to judge of. Often the danger is imminent, and in a crowded city the loss of life might be very great. Anyway, "dangerous structures" lead to more discontent than anything else that we have to do with. Whether local people would do it better I cannot say, but as St. Olave's, and I think one other district, gave as one of their reasons for the transference of powers that the district surveyors do not discover enough dangerous structures, and that they ought to be compelled to periodically examine the whole district with the view to search for dangerous structures, it does not look as if the public would get off easier, at all events in St. Olave's. As it is, the public in general say that we discover too many dangerous structures.

14,070. Is there any special occasion for provoking that demonstration of feeling in St. Olave's?—I cannot say at all; they have a very energetic clerk.

14,071. A single accident would cause possibly an expression of opinion of that kind?—No, I do not think it is that. If you ask me what is at the bottom of it—I will not say in St. Olave's, but it is so in some places—they think they see their way by the application of the neglected structure provisions and the dangerous structure provisions to make sanitary improvements on the cheap, and I think there is a strong temptation to do that. I say that advisedly, because many complaints have come to us, to our department, with a request that we would deal with them as neglected structures, and we have explained that a house that is inhabited from top to bottom is not within the meaning of the Act a neglected structure It sometimes is dangerous, and we sometimes proceed against it as dangerous, but there is a strong feeling that this is a cheap way of making sanitary improvements.

14,072. Does that authority with respect to neglected structures and dangerous structures extend to the City?—No, but our supervision of the fees curiously enough is, and that is the one case in which we found the district surveyor overcharging We had to communicate with the Commissioners of Sewers, and ultimately they removed him from his office.

14,073. (*Lord Farrer.*) They appoint him in the City?—They call in the district surveyor as the "competent surveyor" mentioned in the Act.

14,074. They call in the Council's district surveyor?—Yes. In fact, the Council does this in all cases, but we are not bound to do it; the Act says "competent surveyor."

14,075. The Council employs its own district surveyors as the "competent surveyor"?—Quite so; they do. In the City they employ the district surveyor also.

14,076. (*Chairman.*) He is at hand, and they employ him?—He is a much more convenient and known person.

14,077. Is the City supervision of these matters adequate?—So far as I know it is; there have been no complaints of it being inadequate.

14,078. No suggestion from there that it would be better done by the Council?—No, I do not think so; I am not aware of any.

14,079. There is no reason, so far as you know, to suppose that it is inefficiently done?—No, there is not. The only advantage of central supervision that I can see is economy; it is doubtful whether there would be more rapidity or not. There is something to be said on both sides. But you see we have a skilled gentleman who conducts the whole business. The moment the certificate of danger is received, he goes and sees it carried out, and deals with the whole thing. He is perfectly familiar with police court proceedings and the whole operation of the Act. Then we have in our employ, formerly under a contractor, a special staff of

workmen to shore up buildings and board them in; and that is a special branch of work, and, I believe, an extremely dangerous branch of work. In some cases it is very difficult to know what to do with a dangerous structure, the danger is so extreme. And then there is another thing. We have a report from the Fire Brigade—this was one of Sir John Hutton's alterations—we have a report from the Fire Brigade every morning of any fires in which we have reason to suppose the buildings would be left in a dangerous condition. The most dangerous structures result from fires, the most serious dangers; and there we have our skilled staff who can go and deal with these; and there, of course, the danger is imminent—it is a question of a wall 50 or 60 feet high that may fall at any moment.

14,080. And that staff could not be secured except by a service covering a large area?—Obviously with nothing like the same special skill or the same economy.

14,081. (*Mr. Smith.*) Does it entail much responsibility, I mean under the Employers' Liability Act, this work; do you often have accidents?—I am not aware of any having happened. It would be much more likely with an unskilled staff that that would arise; but I believe we have now in our direct employ the actual workmen, or most of them, who worked for the contractor before. That in itself shows the speciality, that it was worth our while to get hold of these workmen.

14,082. One can easily conceive that a local authority carrying this out with unskilled workmen might render themselves liable to considerable danger? I think that might be so.

14,083. (*Lord Farrer.*) Is your attention called to dangerous structures by the police or by other persons besides the district surveyor?—The police, occasionally the district surveyor, but most frequently the local authority.

14,084. But most frequently the local authority?—Yes. I do not know whether the complaints from the local authority constitute the absolute maximum of the whole, but they are far the largest fraction of the whole; also private individuals.

14,085. (*Chairman.*) And you suggest that that is done for the purpose of making an improvement?—In some cases, I think, there is no doubt, not exactly to make an improvement, but to get rid of the tiresome house altogether, where there are constant complaints arising. But the difficulty here is to draw the line at what may be called substantial danger as separated from trivial danger. The whole matter is so troublesome it would be a great relief to the Council if they could get rid of it. But I feel sure myself that it would not be as economically done, and it probably would be done very unequally. It is quite likely that some authorities would carry it out better than the Council do, but I think most of them would carry it out worse.

14,086. (*Lord Farrer.*) Has it led to any litigation, or are the powers of the Council so distinct that it does not come before the courts?—I do not think it often gets beyond the magistrates.

14,087. It does go to the magistrates?—Oh, in every case you must have a magistrates' order before you can demolish.

14,088. And these magistrates generally agree with the Council?—There are said to be two schools of magistrates—the magistrate who always supports the district surveyor, who says, "Here is the surveyor, he "says so, and I must take his word for it"; and there is said to be a minority of the magistrates who consider that the Building Acts altogether are frivolous and tiresome, and rule the district surveyors out of court whenever they can—and that leads to great lack of uniformity. That applies also to other portions of the Building Act.

14,089. (*Chairman.*) You sometimes get two magistrates of different schools in the same court?—I should think that may have occurred.

14,090. (*Mr. Smith.*) That is the advantage of having a stipendiary; you can only have one mind?—But then you see there are so many. I doubt if this Commission would be sitting if London were small enough for one. All those gentlemen I am referring to are stipendiaries.

14,091. Not in the City of London?—Not in the City of London; no, not in the City of London. I am out of the City of London in this particular point.

14,092. We have heard a great deal about the City of London in its capacity of admirable justicing?—Well, I have had no experience of that. But I am speaking—when I said magistrates—of stipendiaries, and of course they would not both be sitting in the same court at the same time, but Mr. A. might be sitting one month in that court, say, and next month in another.

14,093. (*Chairman.*) They used to sit on alternate days, each three days a week?—I do not frequent the courts. I do not know.

14,094. The next subject, I see by your notes, is the Factory Acts?—Yes. The Council has jurisdiction as to a special clause of the recent Factory Act. You would probably remember, Mr. Courtney, that a Factory Act was passing through Parliament two or three years ago, and while it was in that process a fire occurred at a hatter's shop in the City of London, and several persons were burned to death through the practical impossibility of getting out of the building at the time. Hatting is a dangerous trade; they use, as you know, volatile, inflammable substances. In a moment of enthusiasm an amendment was moved that all factories should be provided with reasonable means of escape from fire, the County Council (in London) to be the local authority to carry it out. This involved the inspection of, I think, above 2,000 factories; involved the putting on of three surveyors, who have been at work for I think something like two years, and we have not got a quarter of the way through yet; and it has led to very prolonged difficult negotiations with these parties. We tried to get the requirements carried out without litigation, if possible, and therefore there was very long correspondence, constant adjustments and suggestions, new suggestions of compromise and one thing or another. Whether this could be done by the local authority or not I do not know.

14,095. (*Lord Farrer.*) Have you any reason to suppose that what has been done has saved any lives from fires?—I do not think we have had the good or bad fortune to have any of the reformed factories burned down; but we certainly did come across some cases in which the lack of staircase accommodation was scandalous, and that particularly applies when you get buildings which had not been constructed as factories subsequently used for that purpose. That is the one case; and the other case is when a large building, perhaps a ramifying, irregular building, constructed at different times, is let to several tenants, and several different manufactures are carried on at once, then, as you can very easily imagine, the direct access is often cut off, and there is only a circuitous way out. And there is another special cause of difficulty, that in the conditions of London it frequently happens that the lighter kind of work is done by women, and people generally try to get the heavier machinery into the lower part of the building. And the lighter kind of work, which often needs daylight for its accomplishment, is done at the top of the house, and you will therefore find, in many cases, where there are women employed, that the women are all at the top, and women of course are the most important persons to consider. Presumably they will show less agility in getting away, their clothes make it very likely they may catch fire themselves, they are extremely liable to be seriously panic-stricken; so we always consider the question of women as being much more important than that of men. But this is an Act that requires administering, I think, with the very greatest discretion. It might be made a very serious tax on trade, and so far as I have personally had anything to do with it—and I happen to have had to do with this from the beginning—it just came on at the end of 1891, when I

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became chairman—I have always impressed on the committee, and I have impressed on the officers, that we must interpret the word "reasonable" in the Act in the most reasonable manner; and we have only had one case taken to arbitration against us, and in that case we lost. We had made the requirement that there should be two fire-resisting staircases constructed in a large building, and the court held that only one need be constructed; so they did not hold that our interference was wrong—they did not hold that the state of affairs was adequate, but simply that our requisitions had been excessive.

14,096. (*Chairman.*) What court would that be?—It was an arbitrator under the Act, appointed, I believe, by the Board of Trade. The Act provides two distinct categories of factories, (1) those which exist—as regards these, I think the term is "all provisions reasonable under the circumstances" (or something of that kind) "must be made"—and the other is a category of new factories: that all plans of new factories have to be submitted to us; and the Act clearly contemplates a higher standard of efficiency in new factories, as is reasonable, and we have much less difficulty in enforcing that than we have in the alterations of the old factories. Whether this could be carried out by a local authority well is a matter to me of considerable doubt. I think the errors of excess and of defect would probably be about equal, but my committee are strongly of opinion that it should not be handed over to the local authority.

14,097. (*Lord Farrer.*) Too delicate a matter to hand over?—I think so.

14,098. Better in the hands of those who have had most experience?—I think so. You see in all legislation of this kind—as I think probably the Commissioners who come from the provinces will realise—a great deal goes by precedent, and the central authority will obviously accumulate precedents more rapidly than a local authority; the precedents are more readily to hand; and in the interpretation of the Act, where there is any ambiguity, it is generally accepted that what has been done in the cases of A, B, C, and D, will be followed in the cases of E, F, and G.

14,099. (*Mr. Smith.*) You have a wider experience?—A wider experience.

14,100. (*Lord Farrer.*) It is a function analogous to that which the Council exercises in the case of places of entertainment?—It is somewhat analogous to that.

14,101. (*Chairman.*) Is there a danger that if it were removed to a local authority there would be too great an influence exercised on the part of factory workers within the locality?—Do you mean in the way of checking trade?

14,102. Yes?—I think that is possible. There has been strong pressure brought upon my committee by the member for Battersea and others that we should have introduced into the Bill a power of controlling all workrooms over shops; but, after considering the question, we came to the conclusion that it was quite impossible to do that, it is too big a matter. There is a workroom to-day and there is none to-morrow. With a factory employing 40 people—which is the limit given in the Act—that is of course a much more tangible thing to deal with. I think that the evil might result in either way. The big man of the neighbourhood employing many hands—the great capitalist—it would be very difficult for the local authority to deal with him; and, *per contra*, they might be excessively rigid and interfere a great deal. It would depend upon the influences.

14,103. (*Mr. Smith.*) Take the case of a residential district, where they were not particularly enamoured of factories being established, they might worry a man a good deal?—I should think that is quite possible.

14,104. (*Chairman.*) And in the other case, where it is a factory district, there would be a constant danger of a great influence on the part of the factory owner, with an occasional outburst, in consequence of some accident, on the part of the large mass of factory workers?—I think that is so. I think difficulty might possibly arise through strong interpretations of the Act by labour members. If there were a local authority which was dominated by labour men they might take a view hostile to capital, contrary to their own interest, no doubt. And they might interpret the other way—they might go the other way, and they might say, "too much interference will drive away trade."

14,105. The central authority will have a more moderating influence, as regards both sides of the question?—I am strongly inclined to think so. I think I have said everything I intended to say under the head of district surveyors. Does that come next?

14,106. Legal proceedings?—Well, what I said about precedents clearly applies strongly to legal proceedings. Difficult points in the Act have from time to time been determined by appeal to the High Court—sometimes going to the highest Court. Local authorities would always, and very naturally, hesitate to go to the Courts, but the County Council has got the reputation of being a litigious body. This is because it is felt that as the central authority it was a duty cast upon it that it alone could fulfil, of seeking the determination of important points of law, and we have contested some points before seeking legislation. For example, in the sky-signs case, we proceeded against the manufacturer of sky signs (Mr. Sage), for his large sky sign, as a dangerous structure—as you (Mr. Smith) say that you did in Birmingham. But we failed; and then we went for new legislation. And there have been a great number of cases that we have fought through the Courts—usually with success. Of course we have the advantage of having, not merely as a local authority would have, a clerk who is a solicitor, but we have a staff of solicitors, and a specialisation within our staff of men who have got all the cases at their fingers' ends. And I think that is one of the advantages of the central authority, and a very strong advantage,—in legal proceedings.

14,107. (*Mr. Smith.*) You are speaking of the clerk of your committee, I suppose? Your clerk of your Council is not a solicitor?—No; I think the local authority would have as its clerk probably a solicitor. We have a solicitors' staff, quite independently of the clerks' department. The clerks' department of the Council is purely a clerical department.

14,108. (*Chairman.*) The objection would be raised by some that you had a long purse, and you were therefore more apt to be litigious?—That is so, no doubt.

14,109. To worry the individuals?—That is the experience of the Committee Rooms of the House of Commons, I think; it is the opponent with the long purse who perseveres to the end.

14,110. (*Mr. Smith.*) I suppose in everything that you have said about the respective allocation of powers to the central and local authority, you would be a little influenced, would you not, by the size of the local authority?—No doubt.

14,111. For instance, what might be safely relegated to Islington and Kensington, and districts of that size, perhaps would not be so well administered in St. James', Westminster?—I think a great failure occurred, to which I alluded, in one of the districts that you have named.

14,112. Still, I am only giving them credit for having the same kind of public spirit that bodies of the same size would have in the country?—Yes, but you see the central body in the country is the only one. Now, the best men in London presumably would go to the bigger things. You have got the School Board to serve upon, you have got the Asylums Board, you have so very many things, although there are a great many men, it is true; but still you have many other attractions.

14,113. But generally you would be in favour of relegating more power to a large authority than a smaller one?—Oh, no doubt. There is one thing I have noted here under "Legal proceedings." There

is now a tribunal of appeal, constituted in 1890, to supervise the decisions of the superintending architect in certain cases. The Bill now before the House contemplates giving very considerable appellate jurisdiction to such tribunal of appeal. It should be a tribunal not of lawyers but of experts. And obviously there would be considerable advantage in the tribunal of appeal having to deal with the decisions of one central authority rather than the possibly very divergent decisions of a number of authorities. That is perhaps a minor point, but still it is so—they would get to understand one another, as it were. Of course, the tribunal of appeal, if it had to deal with the central authority only, would become a very powerful engine for controlling the central authority. There would be so many appeals from their decisions if they acted rashly that they would very soon be brought to a reasonable position, and they would get to know pretty well how far they could go and how far they could not go.

14,114. (*Lord Farrer.*) What are the matters which now go to the appellate tribunal?—Now there are only two. There is the point as to what is the line of frontage of buildings, which is a matter of fact, and there is the point under the recent Act of dwellings upon low-lying lands, which has not yet got really into operation, so we cannot say how that will work. It is proposed to give—amongst other subjects it is proposed to give in the new Bill, and I may say in the part of the Bill which has already passed the Committee—power of appeal from decisions of the Council forbidding the formation of new streets, or imposing unreasonable conditions upon the laying out of new streets, as well as this question of line of frontage, and a number of other points.

14,115. (*Mr. Smith.*) Would you just tell us shortly what your appellate jurisdiction is? You say it is of experts; how are they selected?—Well, the present tribunals—there are two—the one which decides lines of frontage consists of three members, one appointed by the Royal Instititute of British Architects, one by the Surveyors' Institution, and one by the Council. At first the one appointed by the Council was the chairman of the Building Act Committee, but after we had gone on for some time, considerably over a year, the point was raised, and a decision of the tribunal was quashed on the ground that I was a member of the tribunal and at the same time a member of the Building Act Committee.

14,116. You were supposed to have some interest?—Yes, being a member of the Council. It is curious the point had never been raised before, but it was raised. It caused considerable inconvenience at the time, so now we appoint a member who is outside the Council. To make it quite clear, in the new Bill it is provided that no member or officer of the Council shall be competent to serve upon the tribunal. We accept the decision of the court.

14,117. You would usually appoint an expert?—Yes, we should. The late Mr. Thomas Eccleston Gibb was appointed after the case alluded to.

14,118. He would not be an expert in the ordinary sense; he would be an admirable expert, no doubt, in local government law, but not on the matter?—No, not an expert in that sense. But it was convenient, we thought, to have a person of that character, who was perfectly familiar with the law. There were two experts to overrule him, you see, if he were wrong in his expert knowledge, but he would be able to put the view of the local authority generally before them. Then the other tribunal is similar, but in place of a member of the Surveyors' Institution there is a member appointed by the Institution of Civil Engineers. That, of course, has to deal with drainage questions.

14,119. (*Lord Farrer.*) When the appellate tribunal has the power, it practically ousts every decision of the magistrate; there is no question then?—Its decision is in every case final, the idea being to get a cheap decision of another court.

14,120. And a decision of a court of experts?—A decision of experts. It is always difficult to get a decision on a highly technical point; it is very costly to prove it; and it is very much simpler to prove it to a court of experts.

14,121. (*Mr. Smith.*) It excludes an appeal to the higher courts?—Yes. I should say it gives, in a large number of cases, an appeal where previously no appeal existed. It is relaxation. By excluding the higher courts in some cases it may be depriving a man of a right he never exercised, but in more cases it has given to him a right which he had not before.

14,122. (*Lord Farrer.*) And the Council is promoting this Bill which extends its appellate jurisdiction?—That is so.

14,123. They find it more convenient to go to a court of that sort than to a magistrate or a court of law?—Yes; and we found, on the whole, that if the Tribunal of Appeal did not satisfy the applicants, it was considered highly satisfactory by the architectural and surveying professions, and I have heard the matter spoken of in the highest terms all round from gentlemen of that sort. It was thought to be an exceedingly good move. The members are people that they know and that they have confidence in. I have said, I think, all I intended to say about district surveyors previously.

14,124. (*Chairman.*) Have you anything to say about byelaws?—I suppose no one would contend, I do not think the local authorities contend, that any byelaws should be framed except by the central authority. And I think it is also desirable—and I think the local authorities would probably concur in that—that in any transfer of powers that took place certain powers should be given to the central authority for making what we call office regulations, which deal to some extent with matters of interpretation and matters of explanation, and so on, which greatly facilitate uniformity, and which are more elastic than byelaws. You can simply repeal and reverse them. Of course they must necessarily be within the four corners of your Act—they could give you no power that is not in your Act; but such matters as the details of plans and sections, and data that are to be given, the number of days, and a variety of things.

14,125. (*Mr. Smith.*) They are more in the nature of instructions to officers?—Yes, that is so; in fact, we call them office regulations.

14,126. (*Chairman.*) I think you have already given us the substance of your views as to the necessary characteristics of the authority that should prevail?—That is so. Perhaps I might be allowed to recapitulate.

14,127. Would you sum them up yourself?—These seem to me to be the requirements for competent administration of these Acts——

14,128. (*Lord Farrer.*) Are you leaving the details of the Acts now altogether?—I have come to the end of my notes now.

14,129. I do not know whether you have touched upon one thing which I remember some of the witnesses touched upon—going to two authorities when a new building was made, sending the plans to two separate authorities, the one having to do, if I remember aright, with the building, and the other with the drainage?—That is so.

14,130. And they complained of that, and said it would be desirable that the whole thing should be in one hand—one set of hands?—No doubt that argument is a strong one; it must be admitted that that is a strong argument. I have only to say about that, as I think I have said before, that the gentleman who now supervises the drains, the local surveyor, is in most cases not the gentleman who should supervise the building; but it no doubt would be a convenience if one set of plans were sent in and one authority had to deal with them, provided it was made perfectly clear that the surveyor was a duly qualified architect. I will use the word architect as being less ambiguous than the word surveyor; but provided it was certain that the surveyor would be a duly qualified architect, then, as I have said before, he might be supervised by either the local authority or the central

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authority. I do not think he would be better supervised by the local authority, and I think I have indicated certain difficulties; but it would be the greatest mistake to suppose that the surveyors of the vestries are competent to do this work which they ask to be handed over to them. As a rule they are professionally incompetent—I am not saying anything about them as individuals, but they have not got the professional education that is necessary—so a separate set of officers would be required.

14,131. As building architects? — As building architects.

14,132. (*Mr. Smith.*) You have told us, I think, they were often mere road surveyors?—That is so. They might be quite competent to take the levels of a road, and to lay out a new road, and very often excellent hands on all questions of paving and matters of that kind, and they are generally sufficient engineers to lay minor sewers—matters of that kind; but the moment you come to anything the least bit out of the ordinary run—construction in terra cotta, or concrete, or iron girders—difficult questions connected with a large public building or such a building as we are in now, they would be utterly incompetent.

14,133. (*Lord Farrer.*) Who are the officers of the Council who deal with those plans; does that go to the district surveyor or to the architect?—When a man is going to erect a building, he communicates with the district surveyor, shows him his plans, the district surveyor examines the case, and if there is nothing irregular in the proceedings, the matter entirely remains with the district surveyor. If the builder wishes to do something that it is not in the competence of the district surveyor to authorise, and is not within the letter of the law, he then says, "you "must make application under section so-and-so to "the County Council," and a special application is is sent in. If the man actually constructs something which is contrary to the Acts, and where there is no power of dispensation, the district surveyor proceeds against the builder before the magistrate and gets the defective work remedied, and he is not paid till it is done. But the cases that come as applications before the Council are fortunately a very small proportion of the cases that come before the district surveyor. Those amount to many thousands in the year, the works that the district surveyor has to supervise; but the number of cases in which the Council has exercised any jurisdiction is very much smaller—not 10 per cent., certainly.

14,134. Then I rather gather from what you say that there would be no objection to the whole thing being in the hands of the local body provided their officers were competent to deal with these questions of building; but as a matter of fact they are not competent to deal with them, and therefore it is better that they should remain in the hands of the district surveyor?—I wish to be clear in this: it appears to me that the local authorities have put an issue before you—I may be wrong: "We have a local surveyor; "our local surveyor should supersede the district "surveyor." They have, more or less I think, put that issue before you?

14,135. (*Chairman.*) We had brought before us a resolution passed at the Kensington Vestry that the time had arrived when the duties appertaining to the office of district surveyor under the Metropolitan Building Act, and of the surveyor under the Metropolis Management Act, should be discharged by the latter official?—That is, I think, what I said. Well, I only want to say that that is a very simple solution as it sounds, but that in a large proportion of cases—I do not say all by any manner of means—but in a large proportion of cases the man who now fulfils the office of local surveyor is not competent to exercise the duties of district surveyor. Moreover, the work would be a great deal more than one man could exercise, and it would require two officers to attend to the work. That is in very moderate sized districts, because, you see, we have now 70 surveyors as against 40 local authorities, and I do not think it could be reduced to less than 40 district surveyors. So that you would have an economy in that people would have to apply to one authority only. But, then, I do not see any possibility of getting rid of the control of the central authority in many matters; as I have told you,—in regard to streets and so on,—it would only be certain details that you would get rid of. So that the advantage is not so great as would at first sight appear. For instance, I went to a representative assembly of district surveyors once; I put it to them, "Do you see "any objection to the control of dangerous structures "being handed over to the local authorities?" and their immediate reply was: "The local surveyors are "not competent to give an opinion."

14,136. (*Lord Farrer.*) Is the local surveyor always competent to deal with the question of drainage, which I think is submitted to him now?—I think that they select, or endeavour to select, a man who has qualifications for that particular point; but of course drainage is a much more circumscribed thing than the construction of a house. A man who constructs a house may not know about the drainage, but he ought to know about it. But of course a very much more elaborate education is required of an architect. A man of fair intelligence could be taught the essentials of drainage in a comparatively short time.

14,137. To what extent do the Council supervise the plans of the Local Board for drainage?—Not at all as regards individual houses, only as regards the sewering of streets.

14,138. They do not interfere at all, that remains between the Local Board and the individual householder?—With an appeal to a Statutory Committee of the Council, which you probably know of. I believe I am right in saying that the few appeals that come before that Statutory Committee are the only points in which the central authority touches the drainage of individual houses. And of course the power to make bye-laws. That is only the power to frame, not to enforce them.

14,139. (*Mr. Smith.*) And the effect in regard to the local authority surveyors is confined mainly to seeing that these arterial sewers fit in with the general system?—I apprehend that is so. I have not anything to do with that, but the Council has to see that the falls are reasonable, and the sizes are reasonable, and so on. If the local authority proposed to put in a pipe sewer of 2,000 feet in length, for example, they might object, and say, "You must have a brick sewer through such and such a portion of the district."

14,140. (*Lord Farrer.*) That business of the Council comes, not to your committee, but to the Main Drainage Committee?—The Main Drainage Committee, and having been a member of the Main Drainage Committee, I can say, as far as my experience went when I was on that committee, it was entirely managed by the engineer. He simply reported that so many plans had been received, and that they were satisfactory. I do not remember any discretion being exercised at all. I think it is very probable that communications may have taken place between the engineer and the local authority, but it was all settled out of court, so to speak.

14,141. But if the engineer was satisfied?—We simply accepted his report.

14,142. (*Chairman.*) Now then we go on to the "General Requirements"?—The general requirements for the proper administration of the Acts appear to me to be capable of being summed up as follows:—The surveyors must be competent men, and they must be independent men. The authority must be strong; it must be independent of local influences; and it should take wide views of things, looking at the metropolis as a whole. Reasonable uniformity of administration is essential, of course, allowing for differences of localities and circumstances and so on; but still there should be a reasonable uniformity. The local influences of the owners of land, and builders, are interests often in conflict with the public interests. In the central authority these are duly subordinated to the public interests. The

jealousy of the different parishes to a great extent effects this. The parishes in the north do not see why the parishes in the south should be treated differently from the way in which they are treated; and you can always, as it were, secure a combination of all the other parishes against any one which tries to exercise undue influence. We must study human nature. Then, as to economy. Administration should be reasonably economical; and in regard to economy we have especially to consider the services of experts,—legal, architectural, and sometimes engineering experts. Obviously a central authority can command a very much more skilful staff. Then the supervision of the district surveyors by a gentleman of their own profession, and usually selected from their own number, as the superintending architect, is, I think, a very great advantage. You are able to produce quietly an influence over men which it would be very difficult for a local authority to do. Some little difficulty arises; Mr. Blashill writes for the surveyor to come and call upon him, and the talk between the two of them usually settles the matter much more satisfactorily than any authority trying directly to influence the man would do. They are able to look at it from a professional point of view, and settle the question. These seem to me to be the essentials. Well, then, the local authority seems to be weak in these matters. It is apt to take too narrow views; it is apt to look upon its parish, or its own area, as the whole area; it is apt to neglect what one may call æsthetic considerations, which, if reasonably considered, are, I think, valuable in a large city; and the officialism of the local official is apt to be petty and troublesome to those who have to deal with him, more so than that of the central officer. The local authority is apt to attach an undue importance to the increase of the rateable value of the property by building of any sort, and thereby to encourage narrow streets, elevated buildings, and encroachments upon the line of frontage. The local authority may often be lax as regards the width of streets. A narrow street is economical to maintain, and it allows a greater number of buildings upon the land. Local authorities, we find, are often in favour of the construction of the 20 feet footway, that is to say, a footway of 20 feet wide only, which is allowed under the Act of 1855, so long as it is used as a footway only. The Council has authorised few such, certainly not more than one or two in a year; the great objection being this: a place is laid out as a footway, paved from side to side, and with posts at the end, so that vehicles cannot go along it; and then a fire occurs, a fire engine cannot get in, or some such thing happens, there is a great burst of local enthusiasm, and they bring the strongest pressure to bear on the Council to open it as a carriage-way. So that by waiting a few years the builder has secured his object in getting a street only 20 feet wide. But we have resisted this to the uttermost, and fought one of the local authorities very severely upon this. Then I think the possibility of corruption is greater and more to be feared in a smaller authority than a larger, certainly than indirect corruption of the members of the authority by putting work in their way, or improving their property, or what not. Then the size and the experience of the staff of the central authority in itself tends to uniformity, whereas one finds in the local authorities that there is the most diverse tradition; their precedents and their traditions for carrying out things are very diverse. Then, as the corollary to these requirements and these weak points of the local authorities, I suggested that neglected structures might be handed over to the local authorities without any injury at all.

14,143. (*Lord Farrer.*) The neglected?—The neglected structures, with hoardings, advertising hoardings, might be handed over to the local authorities, probably also the question of licensing temporary buildings—that is to say, allowing them to be erected, or to remain when erected, might, subject to the supervision of the district surveyor, be handed over to the local authorities probably with advantage—that if the provisions of the Bill now before the House, dealing with space about buildings, be carried, or if they be carried in a modified form so as to lead to some little complexity and difficulty of administration, I think that that is a question—it is my personal opinion, I do not know that the Council holds it—it is my personal opinion that that might very well be managed by the local surveyor and the medical officer of health acting together. I think that as they have sanitary responsibilities it would be in their own interest to prevent sanitary difficulties arising; and, therefore, they might be expected to carry the thing out well.

14,144. Did you say the medical officer of health?—The medical officer of health.

14,145 And the local surveyor?—And the local surveyor. The local surveyor would naturally do the surveying part of the thing, and the medical officer of health would be able to deal with the question of discretion as to when any modifications or encroachments were to be allowed, as to whether they would be, in his opinion, injurious or not. The question of dangerous structures is a matter which might be handed over, but there would be a good deal of disadvantage in it, because we have a very excellent organisation; but I think, nevertheless, myself, on the balance, that there would be advantages in handing it over, although there would be great difficulty. I think, gentlemen, that concludes what I have to say on the matter.

14,146. (*Mr. Smith.*) I was going to ask you one question, if I might. Have you, in your often contemplated reforms, with reference to the employment of the district surveyor, thought of altering his name? It is confusing; it has a very local flavour about it, you know?—Yes.

14,147. I think it might be worthy of your consideration. One finds the grossest ignorance, I am sorry to say, about London government, and I think these names are responsible for some of it. The idea of a district-surveyor would immediately cause a plain man to think that he was an officer of the local rather than of the central authority?—Well, I did not think that at this period of the matter I was to receive a new suggestion, but that is a new suggestion. The suggestions that have rained in upon me are so numerous that I did not expect a new one.

14,148. (*Chairman.*) I called your attention to the point yesterday?—Not to the name, did you? I do not think you did.

14,149. That the district surveyor was—an ignorant person would think he was—a person not assigned to the central authority, but a person of local origin?

14,150. (*Chairman.*) Look at Question 13,762?—Yes; that is true. But you did not suggest that his name should be altered. That is an obvious corollary, but you did not suggest it.

14,151. (*Lord Farrer.*) And supposing a suggestion which has been made to us were adopted, that instead of vestries or district boards you were to have district councils, the misapprehension might be still greater.

14,152. (*Mr. Smith.*) I think so?—Yes, that is so.

14,153. I think it is very desirable to make future arrangements as plain as possible?—Yes, that is a point to be borne in mind. The officer at the head of my department, Mr. Blashill, the superintending architect, sums up his case against the transfer in these words: that there is no reason to suppose that the work would be better done by the local authorities; there is considerable reason to suppose it would not be as well done, and that is about the whole upshot of it. Of course, he is an officer.

14,154. (*Lord Farrer.*) On the other hand, you are very strongly of opinion, you told us at the beginning, that everything should be done to make the local body responsible and important?—I strongly feel that.

14,155. You feel that very strongly?—Very strongly.

14,156. And you say also, I think, that it is very desirable, where you can do it, to relieve the central body of details of administration?—I certainly think

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so. When the central body is crowded with work there is always a tendency for things to be left to the officers, and to be handed from head officers to subordinate officers; and you may have the administration of a particular portion of this work practically in the hands of a comparatively junior officer. That is the great difficulty.

14,157. And that is a difficulty that is likely to increase with the growing business of the Council, is it not?—I certainly think it is.

14,158. It is a great question whether in future Councils men will be found to give the very great time and labour which they have given to the Council hitherto?—I think it is very possible. I hope it may not be so, but one fears it may be so.

14,159. At least, the business is likely to increase?—The business is likely to increase.

14,160. And there is considerable difficulty now in getting men?—No doubt there is. I have sat in my chair for 20 minutes waiting for a quorum. You may know in my committee it is very difficult to get men to work at all, except a certain class of men.

14,161. (*Lord Farrer.*) Some of the witnesses from the local bodies have suggested that instead of these central functions, or some of them,—it is not necessary to specify which,—being committed to the County Council, it would be better that they should be committed to a Government Department, the Local Government Board or the Board of Trade, or whichever it may be; what is your opinion upon that?—Well, it is rather a new point that you put to me. But I have always said, over and over again, to Mr. Blashill, that the Building Act Committee work would best be administered by himself and myself, and that at the outside it should be administered by a commission of three. I have held that opinion for a long time, that these Building Acts and kindred matters could best be administered by a very small commission of two or three people, who should be permanent officials appointed by the Government. I should quite agree with that.

14,162. And not by the Council at all?—No; I believe it would be better done and much more rapidly.

14,163. Much more rapidly, no doubt. But do you think that the thing at present—you feel no difficulty, do you, especially upon those delicate points that we have been speaking of—in getting the support of the Council; practically the majority of the Council go with you, especially upon any delicate question, any question that touches a personal interest or anything of that kind?—That is so.

14,164. Well, then, do you not think that when you have got the support of the Council in that way, the support of this large representative body, that you are in a stronger position than if it were done by any Government department?—No doubt you are. You mean to say morally in a stronger position.

14,165. Morally, socially, and politically?—I think you are. But if you ask me simply how it would be best done, I think it would be best done by a small commission.

14,166. Undoubtedly when I was at the Board of Trade we could get through more business in three hours in the afternoon with a hierarchical constitution than one could do in three weeks on the County Council—three weeks—or in three months perhaps. But on the other hand, when, after discussion, a committee have agreed upon a given course, and have determined to support you, and when the committee have persuaded the Council to support you, you are in a very much stronger position than if you had done the thing, however rightly you had done it, off your own bat?—That is quite true; but it presupposes a good committee, and a strong chairman. I believe the work of the Building Act Committee is most important, and does an enormous deal of good to London, but the work is long and tedious, and there is little to show for it, little, that is, that outsiders can appreciate. There are no parks or bridges to open, no fire brigade reviews, no imposing buildings. There is little to attract the right sort of man, though (as the late Mr. Runtz told me) the Metropolitan Board of Works found it difficult to prevent the committee being filled with builders and others more or less personally interested, or who might be suspected of being interested, in its decisions. It is almost essential that the chairman should have some technical knowledge, yet he should not be a builder; his position is a laborious and responsible one. Much of the work is done in very thin committees, and a decision may go one way or the other, according to the presence or absence of one or two individuals.

The witness withdrew.

Adjourned.

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As to Exchequer Contribution Account for Police, &c., *Kemp*, 6146; *Gomme*, 4351–62.
As to Police Joint Committee, *Dickinson*, 1066; *Johnston*, 8328.
As to the Government of London generally, followed in proposals of County Council for amalgamation, *Harrison*, 8670, 8699–709.
As to the salary of the Chairman of the London County Council, *Harrison*, 8800.
As to the Deputy and Vice-Chairman of the London County Council, *Harrison*, 8800–2.
As to expenditure of County Council, *Harrison*, 8917.
As to alteration of local government areas, *Dickinson*, 1134–40.
As to main roads. *See* VESTRIES, C. 6.
As to municipal corporations taking over duties of overseers, *Clare*, 10,469–70.
Qualification of county councillors under, *Rotton*, 78.
Election of county Aldermen under, *Fulton*, 7502.
Sections of, relating to London now obtained, *Fulton*, 7555–61; *Pritchard*, 12,034; *Boulnois*, 12,584–6.
Powers of chief constables of counties restricted by, *Rotton*, 153.
Payment for Metropolitan Police in lieu of Treasury subvention under, *Rotton*, 162.
Power of Common Council to make byelaws and regulations under as to locomotives and their use in city, on highways other than main roads, and on main roads with approval of County Council, *Rotton*, 299, 300; *Harrison*, 942–6, 1029; similar powers rest with vestries and district boards outside city, *Rotton*, 311.
Payment from county under section 24 (2) in respect of lunatics, *Rotton*, 446, 447; *Harrison*, 919–39.
County Council has general power under, to purchase land compulsorily for any of its authorised purposes, *Rotton*, 515; exact extent of these powers doubtful, *Rotton*, 519–25, 627–31.
County Council maintains roads under, *Dewey*, 11,661.
In assessment cases, Act substituted appeal to quarter sessions for appeal to special assessment sessions under Metropolis Valuation Act, 1869, *Rotton*, 656. In city cases two aldermen are privileged to attend appeals, *Rotton*, 658.
Rates levied by County Council for general and special county purposes under; in latter case city does not contribute, *Rotton*, 708, 709; *Dickinson*, 1004, 1236–44; *Cohen*, 12,831.
Rating powers as regards pauper lunatics transferred from County Justices to Common Council, *Youle*, 7139, 7140.
Borrowing powers of County Council subjected to provisions of Metropolitan Board of Works Loans Acts, 1869 to 1875, by, *Rotton*, 743.
Borrowing powers of county councils in country under, compared with those of London County Council, *Rotton*, 801–4; *Gomme*, 4317–21.
Control given to County Council over local authorities as regards sewers, borrowing, &c., *Harrison*, 1000–4.
Industrial schools acquired by the London County Council under, *Dickinson*, 1309–11.
Power of London County Council under to pay half salaries of medical officers of health appointed or reappointed after certain date, and to require them to report to it, *Dickinson*, 999, 1376–97.
Power of London County Council to make byelaws for the good rule of the county under, &c., *Dickinson*, 999, 1456.

ACTS—*cont.*

Local Government Act, 1888—*cont.*

Procedure of County Council as regards finance, *Dickinson*, 1038, 1039; *Johnson*, 9352–6.

Appointment by the Crown of the Judge of the City of London Court under, *Kemp*, 4772, 4796–7; *Wild*, 7759–60.

Court of Aldermen appoints Recorder under, but he cannot exercise judicial functions without the sanction of the Crown, *Monckton*, 2650; *Kemp*, 4771, 6057; *Cohen*, 12,884; *Hall*, 7358–63.

Appointment of Common Serjeant by the Crown under, *Fulton*, 7496; *Cohen*, 12,884.

Appointment of Sheriff of London by the Crown under, *Harrison*, 9071, 9072.

Local Government Act, 1894 (57 & 58 Vict. c. 73).

Change effected by, in the vestry constituency, *Andrews*, 12,393–9; *Boulnois*, 12,545; *Dewey*, 11,390–404, 11,463–73, 11,508–12, 11,529–33; *Holland*, 11,920–1; *Leete*, 10,553–8, 10,643; *H. J. Smith*, 11,696–7; *J. E. Smith*, 12,146–51; *Pritchard*, 12,058–63; *Tagg*, 10,694–8; *Dickinson*, 13,650–2.

Power of County Council to divide parishes into wards under, *Tagg*, 10,700.

Local Loans Act, 1875 (38 & 39 Vict. c. 83).

Corporation authorised to borrow money in accordance with, under Tower Bridge Act, 1885, *Brand*, 7875.

London Central Markets Acts, 1860 to 1886:—

23 & 24 Vict. c. cxciii. (1860).
25 & 26 Vict. c. clxxiv. (1862).
27 Vict. c. xv. (1864).
38 Vict. c. lix. (1875).
45 & 46 Vict. c. civ. (1882).
49 Vict. c. viii. (1886).

Establishment of London Central Markets and abolition of Farringdon Market under, *Kemp*, 5011, 5023, 5036*a*, 5405–9; *Payne*, 7006.

Loans raised under, *Gomme*, 3557–66; *Payne*, 6726. No obligation to redeem loans under in a limited period, *Payne*, 6861–3.

Local Taxation (Customs and Excise) Act, 1890 (53 & 54 Vict. c. 60).

Money applied to technical education under, *Dickinson*, 1067.

London (City) Small Debts Extension Act (1852) (15 Vict. c. 77).

Constitution of City of London Court under, *Kemp*, 4802; *Gomme*, 3681–4; *Payne*, 6985; *Wild*, 7745–8.

London Coal Duties Abolition Act, 1889 (52 & 53 Vict. c. 17).

Joint Bridge Committee of Corporation and County Council for maintenance of Kew and other bridges out of proceeds of coal dues terminated on passing of, *Rotton*, 551–4.

Coal dues ceased on 5th July 1889, except as regards 4*d.* retained for one year for part discharge by Corporation of Holborn Valley Improvement Debt, *Rotton*, 554; *Gomme*, 3691, 3970–6.

London County Council (General Powers) Act, 1890 (53 & 54 Vict. c. ccxliii.).

Gave County Council power to make byelaws as to foundations and sites of buildings and the materials used, and to regulate the use of parks, &c., *Dickinson*, 1456.

London County Council (General Powers) Act, 1892, (55 & 56 Vict. c. ccxxxviii.).

Empowered County Council to make byelaws as to embankments and to regulate the use of county bridges, *Dickinson*, 1456.

London County Council (General Powers) Act, 1893.

The Council has power to divide parishes into wards, *Tagg*, 10,700.

London County Council Money Act, 1891 (54 & 55 Vict. c. 62).

Powers granted to County Council by, *Dickinson*, 1263, 1264.

London Overhead Wires Act, 1891 (54 & 55 Vict. c. 59).

County Council has power to make byelaws under, *Dickinson*, 1404–11, 1456.

Independent powers of Commissioners of Sewers under, *Bridgman*, 1736.

ACTS—*cont.*

London Parks and Works Act, 1887 (50 & 51 Vict. c. 34).

Westminster Bridge transferred from Crown to County Council by, *Rotton*, 546–8.

London Sky Signs Act, 1891 (54 & 55 Vict. c. lxxviii.)

Origin of, and powers of, County Council and Commissioners of Sewers under, *Bridgman*, 1736; *Dickinson*, 1022; *Harrison*, 8935–9; *Longstaff*, 14,043–59.

Proposed transference of powers under, *Leete*, 13,221.

London Workhouse.

Acts relating to, 13 & 14 Car. 2. c. 12 (1662); 10 Geo. 4. c. 43 (1830); 13 & 14 Vict. c. 10 (1850), *Kemp*, 5474–86.

Lunacy Act (1890) (53 & 54 Vict. c. 5).

Corporation is local authority for city, but does not exercise powers of rating &c. under, *Rotton*, 805–7; *Harrison*, 868–73, 913–41.

Powers under, exercised by justices appointed by quarter sessions, *Kemp*, 6037–40.

Mayor's Court (of London) Procedure Act, 1857 (20 & 21 Vict. c. 157).

Extension of the court's functions by, *Kemp*, 4744.

A clause in the original Bill, abolishing the Court of Hustings, was struck out in the House of Lords, *Kemp*, 4719.

Merchandise Marks Acts, 1887 and 1891 (50 & 51 Vict. c. 28, and 54 & 55 Vict. c. 15).

Many intricate cases under, tried at City Justice Rooms, *Douglas*, 7626–55.

Metage on Grain (Port of London) Act, 1872 (35 & 36 Vict. c. c.).

Compulsory metage on grain abolished and grain duty originated by, *Kemp*, 4903–8, 5341; application and management of the latter, *Kemp*, 5341–56; *Gomme*, 4057–72, 4098; *Payne*, 6727, 6770, 6803, 6833, 6927–9*a*, 6985; *Brand*, 7813; *Harrison*, 9033.

Metropolis Gas Act, 1860 (23 & 24 Vict. c. 125).

Districts allotted by various gas companies by, *Rotton*, 356.

Gas referees appointed by Board of Trade; examiners by Corporation in city, and County Council outside; and chief examiner and auditor by Board of Trade, under, *Rotton*, 575, 576.

Complaints to Home Secretary as to insufficiency of illuminating power under; provision repealed by Act of 1868, *Rotton*, 604, 605.

[See also *City of London Gas Act* (1868). *Gas Light and Coke Company's Act* (1876).]

Metropolis Local Management Acts, 1855 and 1862 (18 & 19 Vict. c. 120 and 25 & 26 Vict. c. 102).

Definition of metropolis in, *Rotton*, 11; *Gomme*, 4060.

Metropolitan Board of Works and district boards introduced by, vestries reconstituted under, *Rotton*, 62–70; *Kemp*, 5713; *Harrison*, 859–64; *Andrews*, 12384; *Dewey*, 11,390.

Qualification for vestrymen under, *Rotton*, 77.

Ex officio vestrymen, *J. E. Smith*, 12,184.

No provision in as to appointment of stipendiary magistrates in the City, as recommended by Commissioners of 1854, *Evans*, 2257–61.

Local Board of Woolwich continued as a sanitary authority by, *Rotton*, 214.

Main sewers scheduled to Act of 1855, *Rotton*, 245. County Council has power under, to declare other sewers to be main sewers, *Rotton*, 251.

Procedure of County Council for main drainage work under section 152 of Act of 1855, *Dickinson*, 1215–24.

Power of County Council under Act of 1855 to make byelaws regulating formation of new streets, laying of pipes and drains, &c., *Dickinson*, 1456.

Power of County Council as to naming and numbering streets, *Dewey*, 11,650.

Powers of County Council under, as regards stopping streets, street improvements, widening, &c., *Rotton*, 509, 632–5; *Dewey*, 11,650; *H. J. Smith*, 11,764.

The Act of 1855 gives vestries and district boards power to extend, widen, alter, pave, repair, or improve streets with consent of County Council, building, and drainage, but not to acquire

ACTS—*cont.*

Metropolis Local Management Acts, 1855 *and* 1862—*cont.*

land compulsorily, *Rotton*, 511, 512; *Dewey*, 11,552, 11,629; *Munsey*, 13,415; *J. E. Smith*, 12,141.

Rating powers of vestries under local Acts given to vestries and district boards by, *Rotton*, 711; *Harrison*, 9052; *Dickinson*, 13,586–8.

No provision in, for rating churches, public buildings, and empty spaces, as in City under Sewers Acts, *Rotton*, 730; *Harrison*, 9052.

Sewers rate assessed on quarter value only of arable or pasture lands, *Rotton*, 731.

Paving, &c. rate levied, with some exceptions, on public buildings, walls, and void spaces, *ib.* In some cases cost of paving is defrayed by occupier, *Dewey*, 11,552.

Metropolitan consolidated rate levied under, by Metropolitan Board of Works. Now superseded under Act of 1888, by county rate levied by County Council, *Harrison*, 9052–7.

Vestries and district boards have power to borrow under. They generally now borrow from County Council, as being more economical, though they can go elsewhere, *Rotton*, 780–5; *Dickinson*, 1055, 1268–79, 13,539–89; *Cohen*, 12,640–69; *Dewey*, 11,552.

Power of vestries under section 116 of Act of 1855 to water streets and dig wells for gratuitous supply of water, *Dickinson*, 1157.

The Act of 1862 saves rights of vestries and district boards under Michael Angelo Taylor's Act (1817), *Rotton*, 527, 637; *Kemp*, 5702–11.

Powers of County Council under section 74 of Act of 1862, as to the setting back of buildings projecting beyond the general line, *Dickinson*, 1182.

Metropolis Management and Building Acts Amendment Acts, 1878 *and* 1882 (41 & 42 Vict. c. 32 and 45 & 46 Vict. c. 14).

County Council can make byelaws under, as regards the foundations and sites of buildings, and the quality of materials used, and for the regulation of the construction of theatres with a view to protection of fire, *Dickinson*, 1456; *Harrison*, 1022–4.

Proposed redistribution of powers under, *Dewey*, 11,479; *Leete*, 10,565, 10,597.

Independent powers of Commissioners of Sewers under, *Bridgman*, 1736.

Metropolis Management (*Plumstead and Hackney*) *Act*, 1893 (56 Vict. c. 55).

Creation of Plumstead Board of Works, *Whale*, 12,286.

Metropolis Streets Act, 1867 (2 & 3 Vict. c. cxxxiv.).

Regulations framed by Commissioners of City Police as regards vehicular traffic under, approved by Court of Aldermen, *Monckton*, 2582.

Metropolis Toll Bridges Act, 1877 (40 & 41 Vict. c. xcix.).

Duty of maintaining metropolitan bridges, except Tower, London, Blackfriars, and Southwark Bridges, rests with County Council under, *Rotton*, 544, 545.

Metropolis (*Traffic*) *Act*, 1867 and 1869 (30 & 31 Vict. c. cxxxiv., 31 Vict. c. ii., and 32 & 33 Vict. c. 115).

Commissioners of Metropolitan Police license hackney carriages and drivers throughout metropolis, and fix stands outside City, under order approved by Secretary of State, under, *Rotton*, 394–9. In City stands fixed by Court of Aldermen, *Rotton*, 400–2.

Traffic regulated by Commissioners of City and Metropolitan Police in and outside City respectively under, *Kemp*, 4856–73.

Metropolis Water Act, 1852 (15 & 16 Vict. c. 84).

Requires water companies to give notice to Local Government Board before having recourse to new sources of supply, *Rotton*, 330.

Complaints as to quantity or quality of supply to be made by not less than 20 householders to Local Government Board, which may order an inquiry, and require amendment, *ib.*

Companies prohibited by from taking water from Thames below Teddington Lock, except (temporarily) Chelsea Waterworks Company, *Rotton*, 345.

ACTS—*cont.*

Metropolis Water Act, 1871 (33 & 34 Vict. c. 113).

Corporation in City, and County Council outside, are authorities under, as regards constancy of supply; Local Government Board (formerly Board of Trade) is ultimate authority, *Rotton*, 316–25; *Kemp*, 5683–8.

Water examiner and auditor of companies' accounts appointed by Local Government Board under, *Rotton*, 326.

No monopoly of water supply given by to companies, but no power rests with any public body to supply water to public, *Rotton*, 352–5; *Bridgman*, 1790.

Districts not allotted by, but by private arrangement between companies, *Rotton*, 356.

Metropolitan Board of Works (*Loans, &c.*) *Acts*, 1869 to 1888 (32 & 33 Vict. c. 102 (1869); 33 & 34 Vict. c. 75 (1870); 33 & 34 Vict. c. 78 (1870); 34 & 35 Vict. c. 47 (1871); 38 & 39 Vict. c. 65 (1875); 39 & 40 Vict. c. 55 (1876); 40 & 41 Vict. c. 52 (1877); 41 & 42 Vict. c. 37 (1878); 42 & 43 Vict. c. 69 (1879); 43 & 44 Vict. c. 25 (1880); 44 & 45 Vict. c. 48 (1881); 45 & 46 Vict. c. 33 (1882); 46 & 47 Vict. c. 27 (1883); 47 & 48 Vict. c. 50 (1884); 48 & 49 Vict. c. 50 (1885); 49 & 50 Vict. c. 44 (1886); 50 & 51 Vict. c. 31 (1887); 51 & 52 Vict. c. 40 (1888)).

Borrowing powers of Metropolitan Board of Works (and County Council under Local Government Act, 1888), governed by, *Rotton*, 743; *Dickinson*, 1051.

The Act of 1869 gave the Board power to borrow for main drainage, fire brigade, Thames Embankment, paying off earlier loans, &c., and for loans to Metropolitan Asylums Board, with certain restrictions, and under general control of Treasury, *Rotton*, 748; *Dewey*, 11,596. It also transferred to the Board the Thames Embankment and Metropolitan Improvement Fund (Coal Duty), *Kemp*, 5782; *Dickinson*, 1051–5.

The Acts of 1870 gave Board power to borrow money to lend to School Board and for tramways, *Rotton*, 755; *Dickinson*, 1054, 1268–79.

The Act of 1871 gave Board power to borrow money to lend to vestries and district boards, *Rotton*, 754; *Dickinson*, 1055, 1268–79; and made its consolidated stock a trustees' investment, *Rotton*, 748.

Up to 1876 borrowing powers were conferred on the Board for one or more years, or for an indefinite period, by the private Act authorising the service for which the funds were required, so the General Money Bill introduced annually by the Treasury did not show the whole of the Board's borrowing powers for the year. This was stopped as regards the future in 1876, when a Standing Order was issued providing that all money Bills promoted by the Board should be introduced as public Bills, and afterwards referred to a Select Committee like private Bills. This, however, left the powers conferred by the old private Acts as they stood, though it prevented more being granted; and in 1879 the Treasury insisted on all such powers being repealed; so that since 1880 the Annual Money Bill has contained all the borrowing powers which the Board (County Council) can exercise in the year, *Dickinson*, 1051.

The Standing Order of 1876 was modified in 1892 by a new order making the County Council's Annual Money Bill once more a private Bill (not introduced by the Treasury), only giving it certain privileges as regards date of notices, *Rotton*, 769–71.

The Act of 1875 laid down further regulations controlling borrowing powers, and required all Loan Bills to be accompanied by tables as to liabilities, &c.; it further authorised loans to boards of guardians, burial boards, &c., *Rotton*, 755–60.

The Act of 1877 authorised issue of Metropolitan Bills to meet temporary requirements, but none have been issued, *Rotton*, 764–6; *Dickinson*, 1061, 1266, 1267.

The Act of 1880 authorised temporary advances from bankers, with Treasury consent, for not

ACTS—*cont.*

Metropolitan Board of Works (Loans, &c.) Acts, 1869 to 1888—*cont.*

more than six months, *Rotton*, 767; *Dickinson*, 1060–2.

The Act of 1881 empowered Board to apply Consolidated Loans Fund in making loans to local authorities, *Rotton*, 749; *Dickinson*, 1063.

The Act of 1885 authorised issue of stock bearing unearned dividend (so as to secure higher price), and application of Consolidated Loans Fund to Board's capital expenditure, with Treasury consent; currency of loans under, not to exceed 60 years; but no longer period sanctioned in any case than will secure repayment by date fixed for redemption of stock out of proceeds of loan advanced, *e.g.*, in 1893, 47 years, as all existing stock must be redeemed by 1941, *Rotton*, 762, 763; *Dickinson*, 1055–7, 1245–63.

Currency of loans fixed by Treasury under, *Rotton*, 775, 776; *Dickinson*, 1055–7, 1245–63.

Provisions of a typical money Act, *Dickinson*, 1263, 1264.

Metropolitan Bridges Act, 1881 (44 & 45 Vict. c. cxcii.).

Duty of maintaining Metropolitan bridges, except Tower, London, Blackfriars, and Southwark bridges, rests with County Council under, *Rotton*, 544, 545; *Gomme*, 3935–62.

Metropolitan Building Acts, 1855 and 1862 (18 & 19 Vict. c. 122, and 32 & 33 Vict. c. 82).

Under Acts of 1855 and 1862 County Council (originally Commissioner of Metropolitan Police) is authority for whole metropolis, *Rotton*, 285, 293, 484; *Harrison*, 1022–4; but rights of Commissioners of Sewers under Acts of 1848 and 1851 as regards dangerous structures saved, *Rotton*, 286; *Bridgman*, 1736; *Harrison*, 855, 864–82; *Dickinson*, 1182–97.

The Act of 1862 transferred the powers of Commissioners of Metropolitan Police as regards buildings under Building Act of 1855 to Metropolitan Board of Works (now County Council), *Rotton*, 293, 294; *Harrison*, 878–82.

Proposed redistribution of powers under, *Leete*, 10,565; *H. J. Smith*, 11,784.

Inconvenience of present system of administration of Acts. Extent of powers of County Council. The Acts are really enforced, with but slight control on the Council's part, by the statutory district surveyors, appointed by the Council but paid by fees, *Dewey*, 11,622–49; *Robinson*, 11,816–30; *Weaver*, 11,307–8; *While*, 11,349–57; *Dickinson*, 13,589–610; *Longstaff*, 13,689–802; *Westacott*, 13,180.

Metropolitan Burials Acts, 1852 and 1857 (15 & 16 Vict. c. 85 and 20 & 21 Vict. c. 35).

Commissioners of Sewers are burial board for City under, and outside city each vestry appoints burial board, the Secretary of State being central authority, and the Treasury approving loans, *Rotton*, 455–8; *Dickinson*, 1164–72; *Dewey*, 11,408. In City, consent of majority only of vestries required, *Rotton*, 458.

Metropolitan Cattle Market (Smithfield) Acts, 1851, 1857, and 1875 (14 & 15 Vict. c. lxi., 20 & 21 Vict. c. cxxxv., and 38 Vict. c. xlvi.).

Smithfield Cattle Market established and regulated by, *Rotton*, 436–7; *Kemp*, 5040, 5044, 5056, 5332.

Loans raised under, *Gomme*, 3557–66, 3852–83, 3885–9; *Payne*, 6992, 7006, 7007; *Knott*, 8106.

Metropolitan Commons Acts, 1866 to 1878 (29 & 30 Vict. c. 122 (1866); 32 & 33 Vict. c. 107 (1869); 41 & 42 Vict. c. 71 (1878)).

County Council is authority under as regards commons situate in metropolis, and may contribute to expense of other metropolitan commons, *Rotton*, 375.

Metropolitan Fire Brigade Act, 1865 (28 & 29 Vict. c. 90).

Metropolitan Board of Works authorised by Loans Act of 1869, &c. to borrow money for capital expenditure under, *Rotton*, 755.

London County Council has powers to make byelaws under, for the regulation of the Brigade, *Dickinson*, 1456.

ACTS—*cont.*

Metropolitan Markets Acts, 1857 and 1865 (20 & 21 Vict. c. cxxxv. and 28 & 29 Vict. c. ccviii.).

Name of Islington Cattle Market changed by, *Kemp*, 5056.

Surplus profits of Deptford Market applied to meet charges for debt under, *Gomme*, 4050–6.

Metropolitan Meat and Poultry Market Act 1860 (23 & 24 Vict. c. clxiii.).

Smithfield Meat Market established by, *Rotton*, 436–7; *Kemp*, 5044, 5336.

Provisions as to diminution of tolls and loans under, *Kemp*, 5336, 5409.

Metropolitan Meat and Poultry Market (Borrowing) Act, 1864 (27 Vict. c. xv). Provision as to loans under; *Kemp*, 5409.

Metropolitan Meat and Poultry Market (Western Approach Act), 1862 (25 & 26 Vict. c. clxxiv.), Smithfield Hay market regulated by, *Kemp*, 5044. Money borrowed under charged on market tolls generally, *Kemp*, 5409.

Metropolitan Open Spaces Acts, 1877 to 1887 (40 & 41 Vict. c. 35 (1877); 44 & 45 Vict. c. 34 (1881); 50 & 51 Vict. c. 32 (1887).)

Corporation authority under, as regards open spaces in city, *Rotton*, 385.

County Council authority under, outside City, *Rotton*, 386; has power to acquire land, &c., *Dickinson*, 1297.

Vestries and district boards have also powers under Act of 1881. Joint action with County Council, *Rotton*, 388–93; *Dewey*, 11,408.

County Council regulates use of parks under, *Dickinson*, 1456.

Metropolitan Police Acts, 1829 to 1887 (10 Geo. 4. c. 44) (1829); (2 & 3 Vict. c. 47) (1839); 23 & 24 Vict. c. 135 (1860) (30 & 31 Vict. c. 104) (1867).

Control and management of the Force under, *Rotton*, 92–111; *Bradford*, 10,872–8; *Kemp*, 4840; *Harrison*, 9147.

Police district constituted under Act of 1829; any parish or place, of which a part was within 12 miles of Charing Cross, might be included by Order in Council, *Rotton*, 129; *Harrison*, 8644–6.

Police district constituted under Act of 1839 includes any parish or place of which a part is within 15 miles of Charing Cross, *Rotton*, 129; *Harrison*, 8644–51.

Provision of Act of 1860 as to dockyard police, *Bradford*, 10,936.

Power of Commissioner of City Police under Act of 1867 to make regulations for traffic management, *Kemp*, 4859.

Jurisdiction over offences against, *Kemp*, 5988–6032.

Metropolitan Police Courts Act, 1839 and 1840 (2 & 3 Vict. c. 71 and 3 & 4 Vict. c. 84).

Regulates London police courts and their districts, *Rotton*, 171–3; *Kemp*, 6004–21.

Effect of Acts within the City, *Kemp*, 6028–9.

Metropolitan Sewers Act, 1848 (11 & 12 Vict. c. cxxii.)

One Commission of Sewers, instead of the seven previously existing, issued under for all London outside the City, including Regent Street, *Rotton*, 60–3; *Kemp*, 5711; *Harrison*, 8518, 8519, 9063.

Metropolitan Subways Act, 1868 (31 & 32 Vict. c. viii).

London County Council has power under, to make byelaws as to subways, *Dickinson*, 1456.

Michael Angelo Taylor's Act, 1817 (75 Geo. 3. c. xxix.).

The Act originally applied to all commissioners controlling streets throughout metropolis; now, in City, the Commissioners of Sewers, and outside City, vestries and district boards (under Metropolis Management Act, 1855), are authorities under, as regards highways other than main roads, with power to effect improvements, *Rotton*, 295, 500–4; *Bridgman*, 1716–8, 1725; *Kemp*, 5702. County Council has no powers under, *Rotton*, 509, 510; *Dickinson*, 1198–1200. Possible amendment of powers of vestries and district boards under the Act by the Metropolis Management Acts, *Dewey*, 11,649.

Power to take lands compulsorily for street improvements, widening, &c. under, saved by Metropolis Local Management Act, 1862, *Rotton*, 477–88, 527, 623–7.

ACTS—*cont.*

Michael Angelo Taylor's Act, 1817—*cont.*

Power to stop and divert roads under, in former case by consent of quarter sessions, *Rotton*, 495-507.

Compensation cases under, in City tried by Recorder, *Hall*, 7437.

Mortmain, Statutes of (7 Edward I. (1279), 13 Edward I. (1285), 18 Edward I. (1290), 27 Edward I. (1299), 18 Edward III., s. 3. (1344) (Licence in Mortmain), &c.)

Corporation has power under Charter of Edward IV. of holding and acquiring land, but, to make themselves safe, they apply for licences in mortmain, *Rotton*, 614-22; *Brand*, 7821.

Municipal Corporations Act, 1882 (45 & 46 Vict. c. 50). (Re-enacting, with amendments, the *Municipal Corporations Act*, 1835 (5 & 6 Will. IV. c. 76).)

Police in a provincial municipality under joint control of Magistrates and Watch Committee of the Corporation under, *Johnson*, 9642-53; *Clare*, 10,412-3.

Liverpool and Bristol, now dealt with by the Act of 1835, *Harrison*, 8679-82; *Cohen*, 2,802-19; *Clare*, 10,359-63.

Constitution and working of a municipal corporation under, *Johnson*, 9261-875, *Clare*, 9876-10,473; *Dickinson*, 3514; *Monckton*, 6288-90.

Proposals to constitute local municipalities under, *Fraser*, 13,850; *Leete*, 10,622.

London County Council has power under, to make byelaws for the good rule of the county, &c., *Dickinson*, 1456.

Power of granting honorary freedom and rights and property of existing freemen preserved by, *Harrison*, 9116; *Kemp*, 4675-6; *Johnson*, 9811.

Application of Borough Fund regulated by, *Kemp*, 5188; *Harrison*, 8917, 9123; *Clare*, 10,436.

No power of surcharge given to auditors by the Corporation. Auditors have no such power either, *Payne*, 6701.

Ecclesiastical patronage of Corporations directed to be sold by, *Harrison*, 8857-9.

Obligation imposed on Corporations by, to redeem debt in 30 years, does not extend to Corporation of London, *Payne*, 6853, 6890-904, 6911-4.

Election of Common Councillors under, one-third annually, *Johnson*, 9266-71; *Clare*, 10,047-8; *Pritchard*, 12,013.

Election of Aldermen under, *Hall*, 7464-75; *Fulton*, 7536-7; *Johnson*, 9267-9; *Clare*, 10,067-75; *Pritchard*, 12,069-103.

General principles of, followed by County Council in their proposals for amalgamation, *Harrison*, 8670, 8697-701, 8905-13; *Clare*, 10,091.

Municipal Corporations (Corrupt Practices) Act, 1884 (47 & 48 Vict. c. 70).

Election of Common Council governed by, *Rotton*, 58, 59.

New River (Water) Company, incorporated 17 Jac. 1 London Bridge Waterworks transferred to by 3 Geo. IV. c. cix., *Kemp*, 5683.

Newgate Market Abolition Act, 1861 (24 Vict. c. lii,). Abolition of Newgate Market under, *Kemp*, 5036*a*; *Knott*, 8085.

Nuisances Removal Acts, 1848, *and* 1849 (11 & 12 Vict. c. 123, and 12 & 13 Vict. c. 111).

Empower any person, as well as a sanitary authority, to make complaint to magistrates as to unhealthy houses, &c., *Rotton*, 259.

Open Spaces Acts. See *Metropolitan Open Spaces Acts*, 1877 *and* 1890.

Oyster Fisheries Act, 1868 (32 & 33 Vict. c. 31.).

Appeal against decision of Lord Mayor under, *Douglas*, 7684, 7685.

Palmer's Act, 1856 (19 & 20 Vict. c. 16.).

Removal of cases at Central Criminal Court for trial under, *Kemp*, 6127-9.

ACTS—*cont.*

Petroleum Acts, 1871 *and* 1881 (34 & 35 Vict. c. 105. and 44 & 45 Vict. c. 67.

Common Council (formerly Lord Mayor and Aldermen) is local authority in city under, and outside City, County Council (under Local Government Act, 1888), *Rotton*, 364-70, *Harrison*, 1010-14.

Proposal to transfer administration of to local authorities, *Harris*, 13,068-71; *Tagg*, 10,757; *H. J. Smith*, 11,769; *J. E. Smith*, 12,278-81; *Whale*, 12,340-8.

Comments on this proposal, *Dickinson*, 13,507-9.

Police Act, 1890 (53 & 54 Vict. c. 45).

Section 19 (4) gives power to exceed limit of 9*d.* in the £ fixed for metropolitan police rate by amount required for pensions, *Rotton*, 157-9, 474; *Bradford*, 10,885; does not extend to City, *Rotton*, 700.

Police Disabilities Removal Act, 1887 (50 Vict. c. 89.).

Prohibition on Police from voting for the election of members of Parliament removed by, *Kemp*, 4849-54, 5900.

Poor Rate Collection and Assessment Act, 1869 (32 & 33 Vict. c. 40, 41).

Powers of local bodies under, *Dewey*, 11,408; *Leete*, 10,536.

Post Office Sites Act, 1885 (48 & 49 Vict. c. 45.).

Compensation cases under, tried by Secondary, *Roderick*, 7961.

Prevention of Cruelty to Children Act, 1889 (52 & 53 Vict. c. 44).

London County Council has power to make byelaws under, *Dickinson*, 1030, 1456.

Public Health Act, 1848 (11 & 12 Vict. c. 63).

Woolwich Local Board constituted under, continued by Metropolis Management Act, 1855, *Rotton*, 214.

Public Health Act, 1875 (38 & 39 Vict. c. 55).

Superseded as regards metropolis by Public Health (London) Act, 1891, *Rotton*, 197.

Municipal corporations outside metropolis have power to acquire water undertakings under, *Rotton*, 333-5.

Definition of new building in, *Rotton*, 482.

Inspection of property in a municipal borough by the Corporation under, *Johnson*, 9383.

Rating powers of provincial corporations under, *Johnson*, 9471.

Public Health (London) Act, 1891 (54 & 55 Vict. c. 76).

Supersedes Act of 1875 as regards metropolis, *Rotton*, 197; *Harrison*, 8701-9, and Michael Angelo Taylor's Act as regards the suppression of nuisances, *Kemp*, 5711.

Commissioners of Sewers are sanitary authority for the City under; an appeal from their decisions lies to the Local Government Board in certain cases, *Rotton*, 193-7, 645; *Bridgman*, 1736.

Constitutes Corporation the port sanitary authority, *Rotton*, 199-203; with powers to be assigned by Local Government Board, *Rotton*, 205; their expenses as such come out of corporate funds, *Rotton*, 208-12.

Election of Woolwich Local Board provided for in, *Rotton*, 218.

Powers of vestries and district boards as sanitary authorities under, *Dewey*, 11,407; their powers as regards the drainage of buildings clash to some extent with those of the County Council and district surveyors as regards their construction, *Leete*, 10,536, 10,564-82; *Dickinson* 13,593; *Longstaff*, 14,129-40.

Under the Act, local bodies have powers as to factories, registration of houses, and as to smoke nuisances, *Holland*, 11,974; *Tagg*, 10,759-63; *J. E. Smith*, 12,141; *Whale*, 12,314.

Powers of County Council to act in cases of default by vestries, &c. in sanitary matters, to acquire land, and to make byelaws, &c. regulating the conduct of offensive businesses and for sanitary purposes generally, with approval of Local Government Board, *Rotton*, 222-4; *Dickinson*, 1030, 1149-51, 1201-2, 1456; *Dewey*, 11,486-7, 11,664; *Leete*, 10,505.

The administration of the Act as regards offensive businesses might be entrusted to the local authorities, *Harris*, 13,068-71; *Whale*, 12,340-

ACTS—*cont.*

Public Health (London) Act, 1891—*cont.*
8. Comments on this proposal, *Dickinson*, 13,509–14.
Expenses of vestries or district boards under, met out of general rate, *Rotton*, 731.
Power given by, to close unhealthy dwelling-houses, *Rotton*, 258.
Powers conferred on sanitary authorities by, to provide mortuaries, hospitals, &c. (ss. 88–93), *Rotton*, 462–5, 641–3.
Successful appeal against decision of magistrate at Guildhall under, led to amendment of Act, *Savill*, 7718–9.

Public Libraries Act, 1892 (55 & 56 Vict. c. 53), (repealing Act of 1855 (18 & 19 Vict. c. 70).
Common Council is authority under, in City; no limit to the rate it may raise, but none actually levied, *Rotton*, 418–28; *Payne*, 7052; *Harrison*, 8877–82.
Outside City, Act is worked by commissioners appointed by a vestry or district board adopting the Act, *Rotton*, 431; *Dewey*, 11,408–12.
The consent of the vestries is necessary for the adoption of the Act, *Tagg*, 10,733.
Commissioners of Libraries may acquire land for purposes of Act by agreement only, *Rotton*, 639–40.
They may borrow money with consent of vestry or district board and of Local Government Board, *Rotton*, 786.
The working of the Act is voluntary, *Johnson*, 9620.
Powers of commissioners under, might be transferred to the local authorities. *See* VESTRIES, C. 2 (b.).

Rebuilding of City of London. Acts of 1667 and 1670 for (19 Car. II. c. 3 and 22 & 23 Car. II. c. 17.).
Origin of City Commissioners of Sewers under, *Bridgman*, 1462–8; *Kemp*, 5699.
Markets laid out by Corporation under Act of 1670, including Honey Lane market, *Kemp*, 4957–60.

Reform Act, 1832 (2 & 3 Wm. IV. c. 45).
Celebration of passing of by institution of London almshouses, *Kemp*, 5505.
Boundaries of the parliamentary borough of Liverpool extended under, *Clare*, 10,105, 10,106.

Regent Street Commissioners.
Appointed under 5 Geo. iv. c. c., *Kemp*, 5702.

Riot Damages Act, 1886.
Powers of Common Council and Receiver of Metropolitan Police under, *Harrison*, 8843–7.

Rivers Pollution Prevention Act, 1876 (39 & 40 Vict. c. 75).
The London County Council is, like every county council, an authority under the Act, but the Thames and Lee Conservancies practically exercise all necessary powers for London rivers, *Dickinson*, 1448.

Sale of Food and Drugs Acts, 1875 *and* 1879 (38 & 39 Vict. c. 63, and 42 & 43 Vict. c. 30).
Vestries and district boards are authority outside City under, *Dewey*, 11,407.
The central body should administer, *Andrews*, 12,451–9.

Sale of Gas Act, 1859 (22 & 23 Vict. c. 66).
Powers of Commissioners of Sewers in the City under, as regards testing of gas meters, &c., *Harrison*, 8939.

Sale of Hay and Straw (in London) Acts, 1796 *and* 1856 (36 Geo. 3. c. 88 and 19 & 20 Vict. c. 134).
Smithfield hay market regulatedby, *Kemp*, 5044.

Shaftesbury's Act See *Labouring Classes Lodging-Houses Act*, 1851 (14 & 15 Vict. c. 34).

Shop Hours Act, 1892 (55 & 56 Vict. c. 62).
The County Council is the authority under, *Dickinson*, 1024, 1447.
The administration of the Act might be entrusted to the local authorities, *Harris*, 13,070; *Leete*, 13,329–32; *Tagg*, 10,776–84; *Westacott*, 13,177–80; *Whale*, 12,340–8.
Comments on this proposal, *Dickinson*, 13,524, 13,525.

Sky Signs Act, 1891. See *London Sky Signs Act.*

Slaughter-houses, &c., Metropolis Act, 1874 (37 & 38 Vict. c. 67).
County Council has power to grant licences and make byelaws under, *Dickinson*, 1456.

ACTS.—*cont.*
The power of licensing might be transferred to the local authorities, *Antrobus*, 12,988, 12,989; *H. J. Smith*, 11,767; *Whale*, 12,342; *Boulnois*, 12,575–8; *Dewey*, 11,667; *J. E. Smith*, 12,252; *Harris*, 13,068–71; *Holland*, 11,956; *Tagg*, 10,759; *Westacott*, 13,177; *Leete*, 13,293, 13,294.
Comments on this proposal, *Dickinson*, 13,496–505.

Small Holdings Act, 1892 (55 & 56 Vict. c. 31).
Steps taken by County Council to carry out Act, *Dickinson*, 1338–53.
Proposed transfer of administration of, to local authorities, *Harris*, 13,070.
Comments on this proposal, *Dickinson*, 13,489–91, 13,496–500.

Smoke Prevention Acts, 1847, *&c.* (10 & 11 Vict. c. 34, *&c.*).
Administration of, transferred from police to vestries by Public Health (London) Act, 1891, *Dickinson*, 13,513.

Soane's (Sir John) Museum Act, 1833 (3 & 4 Will. 4. c. 4).
Trustees of museum appointed under, *Kemp*, 5569; *Monckton*, 2816.

Sturges Bourne's Act, 1818 (58 Geo. III. c. 69).
Vestries created under, before the Metropolis Management Act, 1855, *Rotton*, 62, 63.

Summary Jurisdiction Acts, 1848 *and* 1879 (11 & 12 Vict. c. 43. and 42 & 43 Vict. c. 49).
Section 34 of Act of 1848 gives an alderman in the City the powers of a stipendiary or other magistrate, *Rotton*, 117.
The Act of 1879 continues to aldermen powers given by Act of 1848, *Rotton*, 117.

Technical Instruction Acts, 1889 *and* 1891 (52 & 53 Vict. c. 76 and 54 & 55 Vict. c. 4).
Powers and action of County Council under, *Harrison*, 1067, 8884.
Proposed transfer of to local authorities. *Leete*, 13,257–92; *Harris*, 13,070.

Telegraphs Acts, 1878 (41 & 42 Vict. c. 76).
Metropolitan police magistrates, and not aldermen in City, named as arbitrators under section 4 of, *Kemp*, 6028.

Thames Conservancy Act, 1857 (21 & 22 Vict. c. 104).
Rights of city over port transferred by, *Rotton*, 211; *Brand*, 7864.

Thames River Prevention of Floods Act, 1879 (42 & 43 Vict. c. 198.
Action of County Council under, *J. E. Smith*, 12,230.

Torrens's Act. See *Artizans' and Labourers' Dwellings Act*, 1868 (31 & 32 Vict. c. 130).

Tower Bridge Act, 1885 (48 & 49 Vict. c. cxcv.).
Funds required for erection of new Tower Bridge borrowed under, on security of Bridge House Estates and other corporate property, subject to previous charges, *Rotton*, 536, 568; *Gomme*, 3935–62; *Brand*, 7843–56, 7875; *Payne*, 6803, 6927; *Harrison*, 9011–31.
This and all similar Acts recite in preamble the fact that the Bridge House Estates are held in trust for London Bridge, *Rotton*, 570–4; *Brand*, 7847–56.
Provision as to artizans' dwellings in. Action of Corporation under, *Brand*, 7946.

Tramways Act, 1870 (33 & 34 Vict. c. 78).
Common Council authority under, in City, and outside City, County Council, and vestries and district boards are road authorities, *Rotton*, 405–14, *Dickinson*, 1456.

Union Assessment Acts, 1862 *and* 1864 (25 & 26 Vict. c. 103, and 27 & 28 Vict. c. 39).
Assessments under Valuation of Property (Metropolis) Act, 1869, made in accordance with provisions of, *Rotton*, 648.
Valuation list made out first by overseers, with appeal to Assessment Committee and to Quarter Sessions, *Rotton*, 649–53.
Powers of vestries under County Council control, *Dewey*, 11,408, 11,675; *J. E. Smith*, 12,141.

Vaccination Acts, 1867 *to* 1874 (30 & 31 Vict. c. 84 (1867); 34 & 35 Vict. c. 70 and 34 & 35 Vict. c. 98 (1871); 37 & 38 Vict. c. 75 (1874).
Now enforced by the guardians, under the supervision of the Local Government Board, *Dickinson*, 13,531–4.

ACTS—*cont.*

Vaccination Acts, 1867 *to* 1874—*cont.*
Their administration might be transferred to the local authorities, *Bonthron*, 13,352–6; *Holland*, 11,913, 11,956; *J. E. Smith*, 12,267–72.
Comments on this proposal, *Dickinson*, 13,531–4.

Valuation of Property (*Metropolis*) *Act*, 1869 (32 & 33 Vict. c. 67).
Assessment for rating purposes of whole metropolis made under every five years, subject to alteration by supplemental and provisional lists, *Rotton*, 646–7; in accordance with provisions of Union Assessment Acts, *Rotton*, 648.
List made out by overseers, with appeal to Assessment Committee and Quarter Sessions (formerly special assessment sessions), *Rotton*, 649–57; *Kemp*, 6068.
Two aldermen privileged to attend sessions in City cases, *Rotton*, 658.

Ward's City of London School for Girls Act, 1885 (48 & 49 Vict. c. lii.).
Establishment of school under, *Kemp*, 5545–52.

Water Supply of London.
Corporation empowered to supply water by 35 Hen. 8. c. x., and 4 Jac. 1. c. 12, *Kemp*, 5672–6, 5683.

Weights and Measures Acts, 1878–1892 (41 & 42 Vict. c. 49 (1878); 47 & 48 Vict. c. 43 (1884); 52 & 53 Vict. c. 21 (1889); 55 & 56 Vict. c. 18 (1892)).
The Act of 1878 gave the power in the City to the Court of Lord Mayor and Aldermen, it was transferred by the Local Government Act to the Common Council. The Commissioners of Sewers levy the rate, *Harrison*, 897–902, 942, 943, 951–64; *Gomme*, 4325–7; *Cohen*, 12,831–3.
The County Council has a staff of inspectors to enforce. *Harrison*, 942; *Dickinson*, 1024, 1445, 1446. Byelaws made under it, *Harrison*, 1030.
Powers of local bodies under, *Leete*, 13,230.
Concurrent jurisdiction of county justices and Metropolitan police magistrates under, *Harrison*, 9084–90.
The administration of the Acts might be entrusted to the local authorities, *J. E. Smith*, 12,252–66; *Cohen*, 12,840–50; *Harris*, 13,070; *Leete*, 13,228–56; *Westacott*, 13,177–80; *Tagg*, 10,776, 10,784; *Antrobus*, 12,997–86.
Comments on this proposal, *Dickinson*, 13,514–24.

Wild Birds Protection Acts, 1880 *and* 1881 (43 & 44 Vict. c. 35 and 44 & 45 Vict. c. 51).
Powers of County Council under, *Tagg*, 10,874, 10,875.

AGRICULTURE, BOARD OF:
The Board is the ultimate authority as regards the administration of the Contagious Diseases (Animals) Act, and as such appoints inspectors in the Central Meat Market, *Kemp*, 5035, 5146; *Dickinson*, 1327.

ALDERMEN:
A. Of the City of London.
(*a.*) *Election of.*
(*b.*) *Professions and businesses of.*
(*c.*) *Duties of.*
1. *Judicial.*
2. *Municipal.*
3. *Administrative* (*in Court of Aldermen*).
B. Of the County of London.
C. Of Municipal Corporations generally.

A. Aldermen of the City of London:

(*a.*) *Election of:*
There are 26 aldermen (including the Lord Mayor), each of whom represents a ward, *Rotton*, 29; *Monckton*, 2528; *Evans*, 2015–8, 2062–5. The senior alderman may remove to the ward of Bridge Without (Southwark); if he declines, the next in seniority may remove to it, until all have refused, when the Common Council may elect any freeman, *Kemp*, 4523–33, 4621–3, 5898.
Under the Act 30 Vict. c 1, any freeman of the City, whether resident or no, may be elected an alderman; he may decline to serve without fine if he pleads that he is not worth 30,000*l.*, *Rotton*, 29–34; *Monckton*, 2483–93.

ALDERMEN of the City of London—*cont.*

(*a*). *Election of—cont.*
Before the passing of that Act the election of aldermen was in the hands of the freemen; it is now in the hands of—
(i.) Persons on the register of Parliamentary electors and
(ii.) Persons who, if resident, would have been on the Parliamentary register, *Monckton*, 2492–518.
This change had been recommended by the Royal Commission of 1854 (but there was no corresponding change in the election of the Lord Mayor), *Monckton*, 2494–8. The election is by wards, *Rotton*, 29–34.
The Lord Mayor presides at these elections; any alleged irregularity is examined into on petition to the Court of Aldermen, *Monckton*, 2519–21. On an average one vacancy for an alderman occurs every two or three years, *Monckton*, 2524–30. The elections are sometimes contested, but often not, if a man of parochial or commercial eminence is a candidate, *Evans*, 1997–2005; *Monckton*, 2531–8.
The question of politics does not influence the election, *Evans*, 2023–6. It is thought undesirable that aldermen should be nominated by the Lord Chancellor, which would introduce a political element: the citizens are very careful in their choice, and the aldermen are as a rule men of high standing, energy, and industry, *Evans*, 2086–91, 2106–27. The present mode of election is very satisfactory and is better than the selection of the magistrates by the Lord Chancellor or election by a Town Council, *Hall*, 7448–63, 7472–82; *Fulton*, 7502–5. Disadvantages of other systems of election, *Fulton*, 7521–33. The Court of Aldermen have occasionally refused to sanction the election of a person as an alderman, *Evans*, 2092–3.
An alderman is elected for life, but may occasionally retire at his own discretion, under pressure from his colleagues or otherwise, *Rotton*, 29–34; *Evans*, 2028–30, 2283.
The office was at one time annual, but the tenure was changed (to life) by the Act 17 Rich. II. c. 11, *Monckton*, 2370.

(*b.*) *Professions and businesses of:*
The old class of residential aldermen has died out; bankers and financiers are as a rule either too wealthy to take any interest in the Corporation or too busy to take part in the public affairs of the City; a very few bankers and shipowners are aldermen or common councillors, *Monckton*, 2539–42; *Evans*, 1994–6; *Cohen*, 12,740–53. Many aldermen and common councilmen are chairmen of companies and heads of wholesale houses; return of occupations, &c., made in 1882, *Monckton*, 2542–57.

(*c.*) *Duties of:*
1. Judicial:
(i.) *As Justices individually:*
Aldermen become by election justices for life, but for improper conduct may be removed, like any other justices, by the Lord Chancellor representing the Crown; they may be removed from their office of aldermen and consequently of justices under the Acts 17 Richard II. and 13 Victoria, c. 94, *Monckton*, 2655–69; there is no parallel instance elsewhere in the kingdom of a man becoming a justice by election, except a mayor during his year of office, *Monckton*, 2670–4; the aldermen who have passed the chair are nominally justices for Southwark: they are not paid, *Monckton*, 2738–44.
(ii.) *In the Police courts:*
The aldermen sit in rota at the Guildhall, as a rule, about two weeks in the year; and if the Lord Mayor, who as a rule sits at the Mansion House, deputes a heavy case the best alderman available would be selected to try it, *Rotton*, 112–7; *Monckton*, 2704–7; *Douglas*, 7634, 7635; *Fulton*, 7498–500; *Savill*, 7692, 7693. Each alderman has the power of two ordinary justices; the division of cases between the Guildhall and the Mansion

ALDERMEN OF THE CITY OF LONDON—*cont.*

(c.) 1. JUDICIAL DUTIES OF—*cont.*

House is now according as they arise north or south of a given line, *Rotton*, 112–7; *Monckton*, 2682–6; *Kemp*, 6111–4. Two days a week (Tuesday and Saturday) are set apart for purely police charges, thus abridging the work, *Evans*, 2078–82. An alderman might retire if unable to continue his magisterial work, or remain on by courtesy of his fellow aldermen, who would share his work between them, *Monckton*, 2675–81.

Very few of the aldermen have had legal training, *Evans*, 2221–2; but their commercial knowledge is of great value in hearing cases of falsification of accounts, fraudulent bankruptcies, &c., *Evans*, 2064–7; *Fulton*, 7501.

Comparative merits of aldermen *v.* stipendiaries as magistrates in City, London generally, and other towns, *Evans*, 2068–77, 2094–5, 2223–5; *Monckton*, 2687–710, 2721–30; *Hall*, 7443, 7483–93, 7468–71; *Douglas*, 7657–67. The present system suits the City admirably, and could be maintained even were the Corporation radically altered or enlarged, *Evans*, 2084, 2085; *Monckton*, 2708–10; *Douglas*, 7657–67.

The consent of the aldermen must be obtained to the permanent closing of a highway other than a main road in the City, *Holland*, 11,990–4.

See also MAGISTRATES and POLICE COURTS.

(iii.) *At the Central Criminal Court:*

The Lord Mayor and aldermen are included in the Commission of the Court; one must be always in attendance, *Kemp*, 6124; *Hall*, 7441–7.

(iv.) *At Fire inquests:*

Under the City of London Fire Inquest Act, 1888, every fire is reported to the coroner by the Police Commissioner and the head of the Fire Brigade, and, even if there has been no fatality in connexion with it, he can hold an inquiry, or the Lord Chief Justice, the Lord Mayor, or Home Secretary can direct an inquiry, *Monckton*, 2749–65; a charge arising out of such an inquiry would be taken before an alderman if the persons implicated were not present before the coroner, 2749–65.

(v.) *Licensing:*

The functions of aldermen in respect of licensing sessions do not differ much from the functions of justices at ordinary petty sessions, *Monckton*, 2746.

The general annual licensing sessions are attended by seven aldermen forming the licensing committee; for transfer sessions there must be an attendance of at least two, *Youle*, 7150–7. Opposition by police to licences, *Youle*, 7158–63. Diminution of number of licences, *Youle*, 7164–9. Appeals go to quarter sessions, *Youle*, 7172–4.

(vi.) *Rating appeals* before quarter sessions. Two aldermen have right to attend as members of court, *Rotton*, 658.

2. MUNICIPAL:

Each alderman summons, and acts as chairman of, the wardmote of his own ward, convoked, on the Lord Mayor's precept, to elect common councilmen, and levy rates, &c., and it is the alderman's duty, through his beadle, to see that the public-houses in the ward are properly managed, *Rotton*, 38–42; *Monckton*, 2766–74. The alderman may be regarded as the father of his ward, *Evans*, 2022. The aldermen have two deputies in their wards who take their place on all occasions except at the annual elections, *Monckton*, 2795, 2796.

Two aldermen are co-trustees of Morden College, with representatives of the Turkey Merchants and East India Company. In future seven aldermen will be appointed as sole trustees, *Monckton*, 2803–14. The Lord Mayor and aldermen have elected an alderman to be an additional trustee of Sir John Soane's Museum, under the Act 3 William IV., *Monckton*, 2815–6. The aldermen are Governors of Emanuel Hospital, under Lady Anne Dacre's will, *Monckton*, 2817.

ALDERMEN OF THE CITY OF LONDON—*cont.*

3. ADMINISTRATIVE (*in Court of Aldermen*):

(a.) *Election of Lord Mayor*, *Rotton*, 16–27; *Monckton*, 2374–90.

(b.) *Hackney Carriages.*—Stands for, licensed by Commissioners of City Police, with approval of Court of Aldermen, *Rotton*, 462–5.

(c.) *Jurisdiction over Livery Companies:*

If the companies desire to enlarge their livery they have to come to the Court of Aldermen for permission to do so; the court grants liveries to newly created companies of freemen, according to the terms of their charters, and "takes cognizance of any matters that "may be brought before the court touching "the manner in which the livery companies "act up to the conditions imposed by the "court in granting the livery or otherwise"; The court has power to punish refractory companies by cancelling their livery, *Monckton*, 2558–60, 2569–72.

(d.) *As regards Police:*

Certain public bodies in the City may, with the consent of the Court of Aldermen, admit certain of their officials to be special constables, *Monckton*, 2575–7.

The government of the police is in hands of the Commissioner, subject generally to Lord Mayor, Court of Aldermen, and the Secretary of State, *Rotton*, 92.; *Monckton*, 2587–605.

The Police Commissioner is appointed by the Common Council and removable by the Court of Aldermen for misconduct, subject to the approval of the Home Secretary, and *vice versâ*, *Rotton*, 99–105; *Monckton*, 2587–605; *Kemp*, 4630–3 (*but see also Kemp*, 4842).

(e.) *Procedure:*

The Court and Committees of the Court:

To form a quorum of the court the Lord Mayor or his *locum tenens* and 12 out of the 26 aldermen must be present, *Monckton*, 2631–4.

There are four standing committees, all of the whole court, viz., committee of "Privileges," "In relation to gaols," "General purposes," and "Finance." Special committees are appointed from time to time as required, but this is not often, as the General Purposes Committee can deal with almost everything, *Monckton*, 2606–13. The court sits in public and has full powers, whereas a committee sits as a rule *in camera*, and has only the power given by its reference; both are composed of the same persons, and the rules of debate are the same, *Monckton*, 2614–22. Two committees never sit at the same moment, but it is possible for the Court of Aldermen to sit in five different capacities in one day; the committees' decisions are hardly ever overruled by the court, *Monckton*, 2624–30.

The court appoints visiting committees at Newgate and Holloway, *Monckton*, 2643, 2644. It nominates six aldermen on the Council of Almoners of Christ's Hospital, *Monckton*, 2645–7.

(f.) *Power to spend Money:*

The court has power to spend money in connexion with its special duties, mostly magisterial and charitable, and to grant pensions, but the Common Council is the purseholder of the Corporation, *Monckton*, 2635–8; *Kemp*, 4624. The court cannot deal with land, having no seal, *Kemp*, 4624–9.

(g.) *Officers appointed by the Court:*

The court appoints the Recorder and Steward of Southwark and the clerks and subordinate officials of the Mansion House and Guildhall justice rooms; their duties being magisterial. The Crown's approval has to be given to the Recorder's appointment to enable him to perform his judicial duties, *Monckton*, 2648–55; *Kemp*, 4770–2.

B. ALDERMEN OF THE COUNTY OF LONDON:

The County Council consists of 116 councillors elected by ratepayers, and 19 aldermen, one sixth of the number of councillors elected every six years by the councillors only This mode of election is preferable to that in force in municipal boroughs, whereby the aldermen

ALDERMEN OF THE COUNTY OF LONDON—*cont.*

as well as the councillors join in the election of aldermen, *Johnson*, 9331–3; *Clare*, 10,047; *Pritchard*, 12,079–81. No distinction in their powers or duties, *Rotton*, 5–10. It would be advantageous to extend City system of electing aldermen to parishes outside it, *Fulton*, 7506–20.

C. ALDERMEN IN MUNICIPAL CORPORATIONS GENERALLY: The aldermen form one-fourth of the whole Council. They are elected by aldermen as well as councillors usually, but not necessarily from the councillors. This mode of election makes a party to remain in office, even when the majority of the electors are against it. They should be elected by the councillors only, *Clare*, 10,047, 10,063–91; *Johnson*, 9266–70; 9331–33; *Pritchard*, 12,069–83. They are elected for six years, half retiring every three years, *Johnson*, 9266–317. Value of aldermen on the Council, as giving continuity to its policy as well as mature experience, *Johnson*, 9277, 9303, 9304; *Clare*, 10,075, 10,076; *Pritchard*, 12,086–103.

ALDERMEN, COURT OF. *See* ALDERMEN OF THE CITY OF LONDON, C. 3.

ALE-CONNERS:

Election of, in common hall, *Kemp*, 4590–5.

AMALGAMATION OF THE CITY AND COUNTY OF LONDON.

1. CONVENIENT PRACTICABILITY OF.
2. FINANCIAL EFFECT OF.
3. SUGGESTIONS OF LONDON COUNTY COUNCIL FOR.

1. CONVENIENT PRACTICABILITY OF.

As regards—

(*a.*) *Police:*

The present arangements work very well; amalgamation would result in neglect of the City, *Fulton*, 7562–79.

Possibility of combining City and Metropolitan forces under joint control of Corporation and County Council, *Rotton*, 141, 142.

There are but slight difficulties in the way of amalgamation, *Bradford*, 11,001–35.

Amalgamation would lessen facilities of escape of criminals, *Bradford*, 11,036–9.

Advantages of amalgamating County and Borough Police Force, *Johnson*, 9672–83.

Police Amalgamation Bill brought in by Sir George Grey in 1863, *Bradford*, 11,040–6.

(*b.*) *The City's Funds:*

Amalgamation would mean a loss to the freemen of their rights and privileges, *Fulton*, 7580–4.

(*c.*) *The City Customs:*

These could hardly fail to suffer under amalgamation, *Fulton*, 7585–9.

(*d.*) *The Right of the City to approach the Crown:*

This highly prized right would hardly be preserved: (the extension of the City has been checked by the Crown), *Fulton*, 7592–605.

(*e.*) *Judicial:*

Advantages and disadvantages of extending the City system of Aldermen Magistrates. *See* MAGISTRATES.

(*f.*) *Generally:*

No good results would follow amalgamation, though the vestries might advantageously be reformed. Politics would be introduced into municipal life, not to its advantage, *Fulton*, 7622–30.

2. FINANCIAL EFFECT OF AMALGAMATION.

(*a.*) *Partial amalgamation, i.e.*, transfer of county services only and revenues relating thereto. This would mean leaving the City to meet an expenditure of about 140,000*l.* a year out of revenues amounting to nearly 200,000*l.* a year, leaving them with a surplus of over 50,000*l.* a year; while the county would have a revenue of less than 350,000*l.* to meet charges (including 44,000*l.* for debt) of nearly 450,000*l.*, or a deficit of 100,000*l.*, to be met out of rates, *Gomme*, 4264–90; *Payne*, 6772–83.

AMALGAMATION—*cont.*

2. FINANCIAL EFFECT OF—

(*b.*) *Complete amalgamation.* Under this the expenditure to be transferred to the county would be—

	£
(1.) The net amount falling upon the Corporation estates and revenues as ordinary current expenditure, say -	592,000
(2.) Certain county services now under the control of the Commissioners of Sewers, police, &c., say -	12,000
(3.) Police, now under control of the Commissioner of City Police, say -	91,000
Total -	£695,000

To meet this expenditure there would be—

	£	£
(1.) Present revenues from Corporation estates and funds - -		542,000
(2.) Increased revenues from—		
(i.) Bridge House and Blackfriars Bridge estates - -	14,000	
(ii.) City of London Court - -	7,500	
		21,500
Total -		£563,500
Deficit -		£131,000

To meet this deficit there would have to be levied—

	£
(3.) A new police rate - -	91,500
(4.) A new county rate ($2\frac{3}{10}d.$ in £) -	40,000
	£131,500

Gomme, 4291–363; *Payne*, 6830–926, 7006–10.

3. SUGGESTIONS OF LONDON COUNTY COUNCIL FOR.

A. *General Principles observed in framing Suggestions:*

(i.) *Proposals:*

To adopt, as far as practicable, the Municipal Corporations Act, 1882, consistently with the preservation of the ancient privileges of the City and the modifications effected by the Local Government Act, 1888. The existing local authorities should remain as they now are, subject to the central authority, and an analogous body should take the place of the Commissioners of Sewers in the present City. Some county authorities should be assimilated to those of county boroughs, *Harrison*, 8670.

(ii.) *Comments on foregoing:*

The Municipal Corporations Act would have to be modified if applied to London, because of its size; there must be local authorities as well as a central authority, *Harris*, 13,010–5.

There must be a central body (dealing with matters common to all London) and independent bodies attending to local matters, *Bonthron*, 13,379–99; *Cohen*, 12,598–610; *Dickinson*, 13,488; *Fraser*, 13,810–8; *Harris*, 13,041–3, 13,088–97; *Holland*, 11,996, *Robinson*, 11,841–4; *Westacott*, 11,996.

The guiding principle should be decentralisation, and the City Corporation should not be extended over all London, *Cohen*, 12,800–27. (It should, *Keevil*, 13,478–81.)

The establishment of separate municipalities is preferable to that of a powerful central body, *Boulnois*, 12,509–23.

Limits to the area and population which one municipality can conveniently manage, *Cohen* 12,825; *Clare*, 10,324–64; *Johnson*, 9677, 9678.

B. *Constitution of proposed New Corporation of the City of London:*

(*a.*) *The new Municipality.*

(i.) *Proposals:*

There should be a single municipality for London, the whole constituting the *City of London* and being a county of itself, *Harrison*, 8670, to take the place of the existing

AMALGAMATION—*cont.*

3. B. (*a.*) (i.) SUGGESTIONS FOR—*cont.*

Corporation and County Council, *Harrison*, 8671. Suggested names for the existing city, *Harrison*, 8672–81.

(ii.) *Comments on foregoing:*

The government of London should be vested in one central authority, and subordinate district councils having original and delegated powers, *Weaver*, 11,186–8.

The County of London should be enlarged to include such places as Chiswick, Kew, &c., *Weaver*, 11,301–7.

The central body should remain a County Council with a Lord Lieutenant as its titular head, *Harris*, 13,101.

See also under NOTTINGHAM, 2, *and* LIVERPOOL, 5.

(*b.*) *Election of Aldermen and Common Councillors, Lord Mayor, &c.*

(i.) *Proposals:*

The new Corporation should consist of 118 councillors and 19 aldermen, being qualified and elected as at present for the county, *Harrison*, 8682–9: it should have the necessary power to alter its own constitution as to numbers of councillors, &c., *Harrison*, 8721–7, 8728–35. The aldermen should be elected, by the councillors only, for six years. There should be a triennial election of councillors, all retiring at once, as at present in the County Council, *Harrison*, 8690–707; *Antrobus*, 12,902–9; *Westacott*, 13,150. The parliamentary divisions should be the electoral areas, *Harrison*, 8736–9. The aldermen should be elected for the same period and in same way as now for the London County Council, *Harrison*, 8739–40.

(ii.) *Comments on foregoing:*

The mode of election laid down by the Municipal Corporations Act, providing for the retirement of one-third of the councillors yearly, is preferable to that of the Local Government Act, requiring the whole Council to retire every third year, as the former (i.) enables the administration of the Council to come before the ratepayers every year, and (ii.) prevents too sudden changes in the policy of the Council, and triennial fits of parsimony, *Clare*, 10,046–8; *Johnson*, 9271–84, 9293–302; *Pritchard*, 12,013–26.

The councillors should be elected by the ratepayers, but the aldermen might be (i.) deputed representatives of the local municipalities, or (ii.) elected by the councillors in proportion to their numbers; they should be elected for six years, *Antrobus*, 12,892–946; *Boulnois*, 12,532–44. Proportionate representation is desirable, *Harris*, 13,054–64. The wards of each municipal district, and not the present parliamentary divisions, should each return a councillor, and the councillors' numbers should be increased to relieve the pressure of work. The aldermen should be elected by the ratepayers, *Boulnois*, 12,532–9; *Harris*, 13,044–53. There should be no aldermen, *Westacott*, 13,153–6. The members of the central body should be elected by the local bodies rather than by the ratepayers; the present County Council elections are unsatisfactory, *Fraser*, 13,810–9.

(*c*) *The Lord Mayor.*

(i.) *Proposals:*

(*a.*) *Election.*—The Lord Mayor should be elected as the mayors of other boroughs, but with the assent of the Crown, *Harrison*, 8740–4.

(*b.*) *Duties, &c.*—His position should be mainly ornamental, to represent the City on important occasions, preside at charitable meetings, and exercise hospitality, &c., *Harrison*, 8745–50, 8780–1. He should not be expected to attend committee meetings, *Harrison*, 8751–79. He should be a magistrate for London, on the Commission of the Central Criminal Court, Lord Lieutenant and Custos Rotulorum of the County of London during his year of office, *Harrison*, 8782–8. His remuneration should be fixed by the Council, *Harrison*, 8788–800.

AMALGAMATION—*cont.*

3. B. (*c.*) SUGGESTIONS FOR—*cont.*

(ii.) *Comments on foregoing:*

(The head of the central body would best exercise hospitality in the name of all London, *Harris*, 13,016–27.)

See also Johnson, 9729–34, 9789–801, and *Clare*, 10,365–71, 10,396–485, for duties of mayors generally.

(*d.*) *The Deputy Mayor, &c.*

(i.) *Proposals:*

There should be a deputy mayor, a vice-chairman, and deputy chairman to carry on the internal work of the Corporation, *Harrison*, 8801–3; the deputy chairman should be paid, and be the chief of the staff, *Harrison*, 8804–21.

(ii.) *Comments on foregoing:*

A permanent town clerk is preferable to a paid member of the council as chief of the staff, *Clare*, 10,302, 10,303, 10,319, 10,320; *Johnson*, 9827–75; *Pritchard*, 12,104–28; *Westacott*, 13,202–6.

C. *Powers, Duties, and Privileges of the New Corporation:*

(i.) *Proposals:*

The new Corporation should take over—

(1.) All the powers, duties, and privileges of the present County Council.

(2.) All the powers, duties, and privileges of the present Corporation of the City, except so far as they are inconsistent with the proposals, including those of—

(*a.*) The Common Council of the (present) City, including its legislative powers (the acquisition of powers involving an alteration of the constitution of the (new) Corporation to be approved of by the Local Government Board), *Harrison*, 8833–7. List of powers to be acquired, *Harrison*, 8838–98.

(*b.*) The Court of Lord Mayor and Aldermen (list of such powers, *Harrison*, 8898–919), except powers and duties which are elsewhere exercised by the justices, *Harrison*, 8898–919.

(*c.*) The aldermen, in so far as their powers are non-judicial, but their present powers and functions in connexion with the wards of the present City should cease. List of powers, *Harrison*, 8919.

(*d.*) The Court of Common Hall, viz., election of sheriffs and officers, *Harrison*, 8919–30.

(3.) Powers and duties of the Commissioners of Sewers which elsewhere are executed by the County Council. List of such powers, *Harrison*, 8922–31, 8933–40.

(4.) The new Corporation should have the rights of representation, of the present Corporation and County Council, upon other bodies. List of such bodies, *Harrison*, 8831. 8832, 8941–59.

(ii.) *Comments on foregoing:*

The central body should be the Port Sanitary Authority for London, *Harris*, 13,114. The work of the Council is now too heavy and tends to fall into the hands of the leisured members (who may not always be competent), yet the absorption of the City's powers would add to its work, redistribution of the work is necessary, *Cohen*, 12,669–74, 12,836–54.

See also VESTRIES, 4 (*Redistribution of work between central and local bodies*).

D. *Property and finance:*

(i.) *Proposals:*

There should be a "City and County Fund" and rate, *Harrison*, 8959–68.

The property, assets and liabilities, of the present Corporation and County Council should be transferred bodily to the new Corporation. Provision for annual repayment of debt, *Harrison*, 8969.

AMALGAMATION—*cont.*

3. D. (i.) SUGGESTIONS FOR—*cont.*

Proposed manner of dealing with receipts in nature of capital and income, *Harrison*, 9000.

Proposed application of surplus revenue, if any, from markets, and arrangements for deficiency, if any, *Harrison*, 9001–8.

Proposed application of revenue from Bridge House and other estates, *Harrison*, 9012–33.

The new Corporation should have power to spend money on hospitality, illuminating streets, &c., the City of London School and Guildhall School of Music, or libraries and museums, *Harrison*, 9036–40.

(ii.) *Comments on foregoing:*

After providing for all liabilities the City would still have surplus assets to the amount of 4,500,000*l.*, besides buildings worth 2,500,000*l.*, *Cohen*, 12,855–66. So much of the property and estates of the City is derived from specific trusts that the rest of London has no claim on them, *Cohen*, 12,866–71.

E. *Rates:*

(i.) *Proposals:*

There should be a "City and County Rate" to meet the deficit balance in any year, and the present City should contribute to this and the police rate, *Harrison*, 9033–5.

(ii.) *Comments on foregoing:*

There might be two rates, one for metropolitan and the other for local purposes, *Tagg*, 10,846–8.

F. *The Local Authority for the present City:*

(i.) *Proposals:*

(*a.*) *Constitution and election of*, *Harrison*, 9041–52. Proposals might be invited from the present Commissioners of Sewers as to its election, *Harrison*, 9052. The number of wards and representatives should be fixed by the Local Government Board, *Harrison*, 9052.

(*b.*) *Powers and duties.*—It should be a corporate body and have the powers of—

(*a.*) The present Commissioners of Sewers, with some restrictions, and be subject to the new Corporation as the vestries now are to the County Council, *Harrison*, 9052–68 (*but see Cohen*, 12,871–84).

(*b.*) A local authority under the Metropolis Management Act.

It should take over the establishment, property and debt of the City Commissioners of Sewers, except that to be transferred to the new Corporation. Power to levy rates. Appointment of an officer, by this local authority, in lieu of the Secondary of the present City, *Harrison*, 9052–68.

(ii.) *Comments on foregoing:*

The City should receive special treatment, because of its mercantile and financial position, *Cohen*, 12,737–9. It should be more independent than other local bodies, *Westacott*, 13,181–7.

The present City might be governed by a lower chamber of the Common Council, *Keevil*, 13,482–6. It should be governed by a municipality elected and constituted as the other local bodies; its mayor should be the Lord Mayor of London, elected by the central body, *Antrobus*, 13,000–19; *Westacott*, 13,196–201. The Lord Mayor should be elected as at present, and reside at the Mansion House, *Cohen*, 12,793–9. The present City should have a Corporation as proposed for other districts, or as at present, with a Lord Mayor at its head, *Boulnois*, 12,563–74; *Harris*, 13,100–6, 13,136–46; *Westacott*, 13,192–5. It should retain the maintenance of its bridge out of the Bridge House Estates, and retain its present assets and liabilities, its large open spaces, such as Epping Forest, and its markets within, *Antrobus*, 13,020–6; *Cohen*, 12,754–85; *Harris*, 13,128–39. But it should lose its market monopoly, *Antrobus*, 13,032–5. It should retain its local institutions, viz., Guildhall Library, Museum, and School of Music, City of London, Ward's and Freemen's Orphan Schools, its open spaces and lunatic asylums, &c., *Cohen*, 12,827–31. The central authority might take over its powers as regards bridges, parks, and metropolitan improvements, this might tend to a readjustment of the City's cash, *Cohen*, 12,727–37. The present City should remain as it now is, but its area might be extended, *Fraser*, 13,923–44.

(*c.*) *The County of the City of London.*

(i.) *Proposals:*

The present City, ceasing to be a county of itself, should become part of the County of London. The justices should be abolished, but the existing Lord Mayor and Aldermen should be included in the Commission of the Peace for the County of London. How the present City police courts should be managed. The new Corporation should appoint one or two sheriffs for the County of London, *Harrison*, 9069–90.

Scheme of management for the quarter sessions of the County of London, and appointment of Recorders, *Harrison*, 9090–2.

Proposed abolition of the Commission of Lieutenancy and the Trophy Tax. The Lord Mayor should be the Lord Lieutenant and the *custos rotulorum*. The Borough Court of Southwark and the Court of Hustings should be abolished, together with the judicial powers of the Chamberlain. The City of London Court should remain as at present, and the Home Secretary should determine the fate of the Central Criminal Court and Mayor's Court, *Harrison*, 9098–100.

Proposed establishment of a new court dealing with cases involving penalties under various Acts, *Harrison*, 9100–7.

(ii.) *Comments on foregoing:*

The Lord Mayor and aldermen should remain justices, *Cohen*, 12,884. Comparison between stipendiaries and aldermen magistrates, *see* MAGISTRATES. The sheriffs should be nominated by the Crown from aldermen who have not served the office, *Cohen*, 12,884. The present business of the Quarter Sessions, *Cohen*, 12,884. The lieutenancy need not be disturbed, *Cohen*, 12,884. Objections to the proposed arrangements for the Central Criminal and Mayor's Court, *Cohen*, 12,884. The county court should be managed as other county courts, *Westacott*, 13,190.

G. *Freemen:*

(i.) *Proposals:*

The freedom should be abolished, except as a mark of distinction. The Freemen's Orphan School and all properties for the benefit of freemen should be vested in the new Corporation, *Harrison*, 9107–18.

(ii.) *Comments on foregoing:*

The freedom still exists in reformed municipalities, *Johnson*, 9809–11.

H. *Officers:*

(i.) *Proposals:*

All the officers of the present Corporation and County Council should be officers of the new Corporation, and subject to it, *Harrison*, 9118–26.

Rights of compensation and appeal should be reserved, *Harrison*, 9126–31.

I. *The Irish Society:*

(i.) *Proposals:*

The society should be dissolved. Proposed distribution of its property, *Harrison*, 8953, 9131–3.

(ii.) *Comments on foregoing:*

There is no need for this to be done, *Cohen*, 12,884.

J. *Transitory provisions:*

A provisional Joint Committee of the Corporation and County Council should be appointed to arrange the transfer of business, &c., *Harrison*, 9132.

AMALGAMATION—*cont.*

3. SUGGESTIONS FOR—*cont.*

K. *The local authorities:*

Proposals for their constitution as municipalities, &c. *See under* VESTRIES.

L. *Police:*

(i.) *Proposals:*

The new Corporation should take over and retain the management of the police in the area of the existing City, *Harrison*, 9134–53.

(ii.) *Comments on foregoing:*

The central body, which does not control the police in the rest of the metropolis, should not take over the management of a separate force in a small part of it. The City and Metropolitan police forces should be amalgamated, *Bradford*, 11,019–21, 11,056–7; *Westacott*, 13,190, 13,091. It would be possible to combine the two forces under the control of a joint committee of the central authority and of the local authority for the City, *Rotton*, 141–2. Financial effect of amalgamation of the two forces, *Gomme*, 4291–363. There should be a separate police for the City area in view of its peculiar circumstances and the great interests involved, *Cohen*, 12,884. The control of the police, in and outside the City, should remain as at present, *Fraser*, 13,886–9.

ANDREWS, MR. HENRY, Clerk to the Strand District Board of Works.

ANALYSIS OF EVIDENCE.

The Strand District Board of Works consists of 49 members, elected by the vestries of six parishes, in proportion to the number of houses existing respectively in each in 1855, 12,368–85. The vestries also elect the overseers to collect the rate levied by the district board, and prepare the jury lists, 12,386. It would be better to make the area for the new District Council correspond with the Strand parliamentary division, which has a population of 65,000, tending to diminish while the rateable value increases. In that case the council should be directly elected, 12,387–92, 12,449–50. The District Board is now elected in thirds annually; its composition and that of the constituent vestries changes very little from year to year. The Act of 1894 will not probably make much alteration in this respect, 12,393–9. The relations between the Board and the County Council are good, but witness does not think that the local authorities should be under any control whatsoever, whether of the County Council or the Local Government Board, but—subject only to the approval of their electors, (who should elect the whole body annually), and to a rigorous audit by auditors appointed by the Government, with power to surcharge—should be free to do as they choose, even as regards the currency of loans, so far as lenders will allow. Of course the currency of a loan should not exceed the life of the work upon which it has been spent, and witness feels sure that local authorities would act themselves, or be required by their electors to act, upon this principle. There would be enough people keen to protect posterity, 12,400–24, 12,436–48. Witness complains of the action of the County Council in requiring loans for wood pavement to be repaid in five years, irrespective of the amount of traffic upon it, and in refusing to allow the Strand to be closed in sections for repairs, though they themselves closed Waterloo Bridge entirely on a similar occasion, 12,425–35. The Council has never, as it should have done, made byelaws for the construction of local sewers, 12,439–45. The local authorities should deal with paving, sewering (except main sewers), cleansing, lighting, and possibly sanitary work, and the central authority should deal with main sewers, bridges, metropolitan improvements, fire brigade, police, weights and measures, and the administration of the Food and Drugs Act. The two latter are important, as in a small district an inspector gets known, and cannot act with sufficient independence, or be moved constantly from district to district, 12,451–9. Witness only speaks for a small minority of municipal experts, the majority do not object to the control of the Local Government Board over the currency of their loans. His previous experience, 12,460–71.

ANGELL, MR. LEWIS, Borough Engineer of West Ham.

ANALYSIS OF EVIDENCE.

West Ham has a very high school board rate and poor rate, due to the fact that many workmen and others, whose work lies in London, live in West Ham, where houses are cheap. Any scheme for the equalization of rates in London should extend to West Ham, so far as these two rates are concerned, by contribution or otherwise. West Ham is at present cut off from London as being a separate municipality, and therefore a separate school board district, but it makes use of the London sewers, 11,310–27, 11,329–43.

Witness is in favour of creating six or eight separate municipalities in London, of which West Ham might be one. Some of the existing parishes are much too small for effective work, 11,327–8. It would, no doubt, be inconvenient to have one of these municipalities consisting of all rich, and another of all poor, but this could be got over by making these municipalities really district councils, with a central body over all to deal with matters common to all, with a common purse and equalized rates for these objects, 11,344–53.

ANTROBUS, MR. ROBERT CRAWFURD, Member of the London County Council.

ANALYSIS OF EVIDENCE.

Witness urges the establishment, beside the central body, of a number of local municipalities, the number to be fixed after local investigation, each with its mayor, aldermen, and common councillors directly elected by the ratepayers, 12,887–92.

Constitution of the Central Body:

The central body should comprise councillors directly elected by the ratepayers, but the aldermen should be, if possible, representatives deputed by the local municipalities out of their own body, 12,892–5. This arrangement would be open to the objections that the men deputed might not be able to give the time to serve on both bodies, and that indirect election is against the spirit of the age; and perhaps direct election, or, failing that, the present mode of election by the councillors, would be best in the circumstances, 12,896–942. The aldermen should be elected for six years; this would attract a higher class of candidate, 12,926–31. If the aldermen were elected by the councillors proportionate representation of the latter would be preferable, 12,942–6. Witness is in favour of triennial election of the whole body of councillors, and is satisfied with the present electorate, 12,902–9.

Constitution of the Local Bodies:

The local bodies should consist of mayor, aldermen, and councillors directly elected by the ratepayers, 12,887–92. The areas and population under their control should be considerable, say, from 200,000 to 300,000 inhabitants, 12,947–53. The aldermen should preferably be elected directly by the ratepayers, or else by the councillors, and should hold office for six years, as against three for the councillors, 12,954–60. Witness prefers on the whole the triennial election of all the councillors together to the election of one-third annually, but has no very decided preference, 12,961–73. Attaches importance to the name of municipal corporation for the local body rather than that of vestry or district council, mainly on sentimental grounds, 12,974–5.

Relation of the Central to the Local Bodies:

Witness would transfer from the central to the local bodies the duty of enforcing the Weights and Measures Act, though the former should keep the standards, 12,976–88. The latter might also supervise slaughter-houses and baby-farms, close roads for repairs on their own responsibility, and exercise the functions of Commissioners of Baths and Libraries and of poor law guardians, 12,989–99.

The City of London:

The area of the present City should be governed by a municipality elected and constituted like the other local bodies, except that its head should be the Lord Mayor of London elected by the central body; this would put him in a position to exercise social

ANTROBUS, Mr. R. C., Evidence of—*cont.*

functions, 13,000–19. The City should continue to maintain its bridges out of the income of the Bridge House Estates, and should retain its present property and debts, 13,020–6; but the rates in the City should be made uniform with those in the rest of London, 13,026. The representation of the City on the central body should be based upon its rateable value and number of rated householders, not on the day population, 13,027–32.

The City should retain its existing markets both within and outside its boundaries, but the establishment of other markets elsewhere should be allowed, 13,032–5. The central body should become the port sanitary authority, and should manage all large open spaces, the smaller ones being managed by the local authorities, 13,036–40.

APPRENTICES, IN CITY. *See* City of London, 5 (Courts of Justice (*e*)), as to Enrolment and Punishment of.

AREAS:

i. Under control of different authorities. *See under* Authorities.

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ARTHUR STREET EAST:

Construction of, by Commissioners of Sewers, *Bridgman*, 1712–5.

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AUDIT OF ACCOUNTS:

(i.) Accounts of Corporation of London audited by four auditors elected in Common Hall, without power to surcharge, *Payne*, 6668–705; *Kemp*, 4590–5; *Monckton*, 6452.

(ii.) Accounts of Commissioners of Sewers audited by three sworn auditors, appointed by the Common Council, with appeal to quarter sessions, *Bridgman*, 1747–69.

(iii.) Accounts of Water Companies audited by auditors appointed by the Local Government Board, *Rotton*, 326.

(iv.) Fees of District Surveyors audited by the superintending architect, *Longstaff*, 13,788, 13,789.

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B. Proposals for Reconstitution of Central and Local Authorities. *See under* AMALGAMATION 3, *and* VESTRIES, C.

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The local authorities might have similar powers, *Cohen*, 12,638–9.

BANSTEAD DOWNS:

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BATHS AND WASH-HOUSES:

Authorities:

(*a.*) *In City*, Vestries may adopt the Act.

(*b.*) *Outside City*, vestries of several parishes (not district boards) are local authority, *Rotton*, 359–62. They cannot borrow money for purposes of, without sanction of Local Government Board, *Rotton*, 363. They can acquire land by agreement only, *Rotton*, 639–43. The maximum number of Commissioners is seven, *J. E. Smith*, 12,241.

The functions now exercised by the Commissioners of Baths and Washhouses should be transferred to the local authorities (District Councils), *Bonthron*, 13,352–61, 13,400–1; *Boulnois*, 12,575–8; *Harris*, 13,068–71; *Holland*, 11,912–30; *Leete*, 10,559; *Robinson*, 11,816–20; *J. E. Smith*, 12,235–44, 12,267–81; *Tagg*, 10,808–11. See also *Dickinson*, 13,629.

BATHUS' (MISS) BEQUEST:

Administered by the Corporation, *Gomme*, 3547–55, 4369–87.

BATTERSEA. Recently separated from Wandsworth for local government purposes, *Dickinson*, 1123, 1365, 13,652–6.

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BETHLEM HOSPITAL. *See under* CORPORATION, 7, (*a.*) (Royal Hospitals, Schools, and Colleges).

BETHNAL GREEN:

Rating authorities for, *Dickinson*, 1228.

BIRTHS, MARRIAGES, AND DEATHS, REGISTRATION OF. *See* REGISTRATION (i.).

BLACKFRIARS BRIDGE ESTATE:

Consists of revenue (800*l.* a year) of surplus lands left after the construction of the bridge. The estate accumulates from year to year as nothing is payable from it. The bridge is maintained out of the revenue of the Bridge House estates, *Kemp*, 5219–23; *Gomme*, 4020–31; *Payne*, 6831.

BLAKE, Mr. HENRY, Chief Clerk of the City Commissioners of Sewers, Analysis of Evidence of (*see under* Bridgman, Mr. Henry Hewitt).

BOARD OF AGRICULTURE. *See* AGRICULTURE, BOARD OF.

BOARD OF TRADE:

Ultimate authority—

In whole Metropolis as regards:

(i.) *Electric lighting*, *Dickinson*, 1436.

(ii.) *Gas supply*, appointment of chief examiner, referees, and auditor, *Rotton*, 576.

(iii.) *Tramways* on main roads and highways other than main roads, so far as mode of construction is concerned, *Rotton*, 416.

(iv.) *Water supply.*—(Powers transferred to Local Government Board, *q. v.*)

BONTHRON, Mr. JOHN, Chairman; WINNETT, Mr. WILLIAM, Member; and MUNSEY, Mr. THOMAS HENSMAN, Clerk, of the Vestry of St. James, Westminster.

Analysis of Evidence.

The parish of St. James, though small (163 acres and 25,000 inhabitants), is of so high a rateable value (755,000*l.*), and has such important historical and other associations, that it might well remain the area of a district of its own under any scheme for the reorganisation of the government of London 13,339–40, 13,417–9. Its small size enables the vestry to have an intimate knowledge of all the work and requirements of the district, and it comprises residential, mercantile, and poor quarters with every variety of town life, and there is no sufficient reason for tacking it on to another district 13,341–51, 13,419–30. The local authority should have additional powers, including those now exercised by commissioners of libraries and baths, burial boards, &c., the assessment and collection of rates, registration of voters and preparation of jury lists (now in the hands of the overseers), and the registration of births, &c., and enforcement of the Vaccination Acts (now in the hands of the guardians, who should only retain the administration of poor relief in the several unions), 13,352–61, 13,400–1. The chairman of the local authority should be ex-officio an alderman of the central body so as to establish a connection between the two. This would be preferable to making the representatives of the district on the central body ex-officio members of the local body, 13,362–76.

There must be a central body and local bodies, the areas for the latter being the existing parishes under Schedule A. and the districts under Schedule B. of the Metropolis Local Management Act. The tendency of recent legislation has been to sub-divide the 12 large areas, thus Battersea has been separated from Wandsworth, Plumstead from Lee, and Stoke Newington from Hackney. It

BONTHRON, Mr. JOHN, &c., Evidence of—*cont.*

would not tend to good management or economy if St. James's were united with St. George's or the Strand district, following the parliamentary division, 13,379–99, 13,419–30.

The relations between the Vestry of St. James and the County Council have always been very amicable, in the matter of loans and in other respects. The Vestry is now free from debt. There is, however, some inconvenience in the County Council, the lending body, having to approve of loans, but the vestries may, if they like, borrow in the open market, 13,402–16.

The parish of St. James has baths, washhouses, and lavatories, but no library, and has had to do but little in the way of improvements or clearing insanitary areas, which would be a very costly and difficult proceeding, 13,431–48.

BOROUGH, MUNICIPAL, GOVERNMENT OF. *See under* Municipal Boroughs, Liverpool, *and* Nottingham.

BORROWING POWERS:

(*a.*) In City:

1. *The Commissioners of Sewers* have power under Sewers Act, 1848, to borrow on security of sewers rate and consolidated rate for special purposes, *Rotton*, 734–6. Their loans distinct from those of Corporation, *Rotton*, 737–41. They have also powers under Elementary Education and other Acts, *Rotton*, 797–800. Their powers under the Artizans' Dwellings Act, 1881, are unlimited, but they are limited for general purposes, *Bridgman*, 1612–29 (*see also* Sewers, Commissioners of (*d.*)).
2. *The Corporation* has original unlimited general power of borrowing on security of estates, &c., but most of its present loans are under special Acts, *Rotton*, 733; *Payne*, 6916–21, 6976–84.

(*b.*) Outside City:

1. *Burial Boards* can borrow with consent of their vestries and the Treasury, *Rotton*, 787.
2. *Commissioners of Baths and Wash-houses* can borrow with consent of their vestries and the Local Government Board, *Rotton*, 786.
3. *Commissioners of Free Public Libraries* can borrow with consent of their vestries (or district boards), and of the Local Government Board, *Rotton*, 786.
4. The *County Council* is in the position of the Metropolitan Board of Works. Its borrowing powers are governed by Acts of 1869, 1871, and 1875, by which they are made subject to detailed Treasury approval, both as regards loans for its own capital expenditure and for lending to school board, asylums board, vestries, and other bodies, *Rotton*, 743–64; *Dickinson*, 1263–5. These bodies may, and often do, borrow in the open market, if they can get better terms than from Council, *Harrison*, 1268–79. Employment of sinking fund in loans to these bodies authorised 1881, and to meet the board's capital expenditure authorised 1885, *Rotton*, 749–5; *Harrison*, 1248–61. Maximum currency of loans usually stated in Acts, limited to currency of stock created, but within such periods Treasury consent necessary, *Rotton*, 757–63. Treasury prefers repayment by equal annual instalments, rather than by annuity, *Dickinson*, 1245. Permanent loans raised by issue of Metropolitan Stock, *Harrison*, 1246–63. Temporary loans may be raised by issue of Metropolitan bills, but actually provided by advances from bankers, *Rotton*, 764–9; *Dickinson*, 1265–7.

   Annual money Bill, before 1876, introduced by the Treasury as private Bill; from 1876 to 1892 it was introduced as a public Bill, and afterwards referred to a select committee like a private Bill. Since 1892 it has been introduced (not by the Treasury) as a private Bill again, but is privileged as regards dates of notices, *Rotton*, 769–71. Provisions of a typical Bill, *Dickinson*, 1263, 1264. Financial tables attached to money Bills, showing assets, liabilities, and sinking fund, &c., *Rotton*, 778, 779. Borrowing powers of London and other county councils compared, *Rotton*, 801–7.

BORROWING POWERS—*cont.*

5. *Vestries and District Boards* can borrow under s. 183 of Metropolis Management Act, 1855, on mortgage of rates, with consent of County Council, *Rotton*, 780. They generally borrow from County Council, not in open market, *Rotton*, 781–5.

BOULNOIS, Mr. EDMUND, M.P., Member of the London County Council.

Analysis of Evidence.

Witness is a member of the Marylebone Vestry, and represents Marylebone in Parliament and on the London County Council, 12,509, 12,581–3.

Amalgamation:

Witness has seen the scheme of amalgamation proposed by the London County Council, and is entirely opposed to amalgamation at all; he would prefer the establishment of separate municipalities, consisting of a single parish, if large enough, and of smaller parishes grouped, 12,507–9. This would revive and stimulate local feeling, which is at present very apathetic and would be entirely destroyed if the proposals of the County Council were carried into effect, as their tendency would be to concentrate in one body all the work which should properly be done, and is being done now, by vestries and district boards. This would prevent good men coming forward to serve on the latter, 12,509–18. There must, besides local bodies, be a central body, to deal with matters such as main drainage, large open spaces, the fire brigade, &c., 12,515. The scheme of the County Council would take away from the local authorities, especially the Corporation of the City, functions now exercised by them, but witness cannot specify such functions, 12,519–23.

Some of the functions now exercised by the City must, in any scheme of amalgamation, be handed over to the central body; the question is really one of more or less, 12,524–5, 12,557–8.

Constitution of the Central Body:

The members of the central body should, as the county councillors are now, be elected directly by the ratepayers, 12,526–9. Witness prefers the triennial election of all the members to the annual election of one-third, 12,530–1. Witness dislikes the present mode of electing county aldermen, as only increasing the majority on the Council, and would prefer to have none at all; if retained, they should be directly elected like the councillors; sees no good in electing them so as to represent proportionately the different divisions of the Council. He does not think that aldermen confer stability on the policy of the Council, or bring experience which could not be secured by popular election, 12,532–44. He saw no necessity for the abolition of the Metropolitan Board of Works, 12,581–6.

Constitution of the Local Bodies:

Witness is satisfied with the electorate provided by the Local Government Act, 1894, which is the widest possible, including women, 12,545–6. He would make the local bodies corporations after the pattern of the Municipal Corporations Act, with a chairman, or preferably a mayor, and councillors, but not aldermen. This organisation would not differ widely from that of the existing vestries, but it would get rid of the title of vestry, which is very desirable. It is entirely a matter of naming. Some of the smaller districts would have to be re-organized, 12,547–56.

Government of the City:

The City should bear much the same relation to the central body as other districts, so far as administration is concerned, but in other respects it should remain as now, with a Lord Mayor, and (reformed) Corporation, exercising the ornamental functions of hospitality and reception, which it has exercised so long in the place of the Crown or the Imperial Government, 12,557–62, 12,586–92. Witness fears that if these functions were transferred to the central body they would disappear, as that is the tendency of democracy, 12,563–74.

BOULNOIS, Mr. EDMUND, M.P., Evidence of—*cont.*

Partition of functions between the Central and Local Bodies:

The local bodies might do a great deal of work now done by the County Council, such as sewering, street naming, control over sky signs, slaughter-houses, &c. They might well take over the functions now exercised by the guardians of the poor, 12,575–8. The central body should be confined to matters which concern the whole of London, and the functions of the local bodies should be as wide as possible, 12,579–86.

BOUNDARIES OF PARISHES:

Power of County Council to divide parishes into wards on application of parish, and to apply to the Local Government Board to alter boundaries of parishes by Provisional Order confirmed by Parliament, *Dickinson*, 1119–41.

See also Areas.

BOW STREET POLICE COURT:

Warrants under Extradition Act issued to chief magistrate at, *Kemp*, 6029; *Douglas*, 7657, 7670–2.

BOWES' (Sir MARTIN) BEQUEST:

Water supplied to drinking fountain in Smithfield Market under, *Gomme*, 4377–80.

BRADFORD, Colonel Sir EDWARD, K.C.B., K.C.S.I., Chief Commissioner of the Metropolitan Police.

Analysis of Evidence.

The Metropolitan Police is a slightly older force than the City Police, the one having been established in 1829 and the other in 1839, 10,870–1. It is primarily under the control of the Chief and Assistant Commissioners, and ultimately of the Home Secretary under the Act of 10 Geo. IV. The Commissioners are appointed by the Home Secretary representing the Crown, and hold office at pleasure, 10,872–8. The Chief Commissioner makes regulations for the control of the force, subject to the approval of the Home Secretary. The details of administration, appointment, promotion, and dismissal of men, &c. are left entirely to him, 10,879–83. Pensions rest with the Secretary of State, subject to the Act of 1890, 10,884–7. Increases of force are also subject to his approval, 10,888–90. The expenses of the force are defrayed (five-ninths) out of rates and (four-ninths) out of Imperial funds; the finance is managed by the Receiver, who is directly under the Secretary of State, 10,891–904, 11,071. The City Police is governed by the Act 2 & 3 Vict. c. 94, 10,905–6. The duties of the Metropolitan and City Police are almost identical, but those of the former are the more severe, as the proportionate numbers are so much fewer, 10,907–8. The Commissioners of both are in constant co-operation and communication, and consult together on special occasions, such as the Lord Mayor's show, 10,909–13. The City Police never does duty outside the City, though either force can work within the jurisdiction of the other, but the converse occasionally takes place, as the City has no mounted police, &c., 10,914–21. There has been no friction between the two, 10,922–3. The Metropolitan Police is in some sense an Imperial force; it often has to supply men to distant places—*e.g.*, at Hull during the dock strike, and in Yorkshire during the coal strike—but other police were also requisitioned on these occasions, 10,924–31. It also sends men to guard the Queen, wherever she may be, to watch certain foreign and home ports, the dockyards, &c. These latter form a special (central) division, supplemented at present by men from the A and other divisions, but it is intended to attach them all to the central division; the several divisions are interchangeable for purposes of promotion and transfer. The latter is very frequent, 10,932–63. It is important that the police of the dockyards, &c. should not be in local hands, 11,064–70. The area under the control of the Metropolitan Police is much larger than the City area—700 square miles as against 650 acres, 10,964–5. The external parts are mostly quite rural. A large area is very convenient, and witness would not contract its limits, though they are rather arbitrary, 10,966–73, 10,985–8. The force works very well with the police of the

BRADFORD, Colonel Sir E., K.C.B., K.C.S.I., Evidence of—*cont.*

adjacent counties, 10,974–5. Witness would not approve a scheme for withdrawing the suburban parts of Essex and other counties from the Metropolitan Police area, 10,976–82. The question of a separate police for each of the boroughs (Croydon, Richmond, West Ham, &c.) included in the police area has not been mooted, to witness's knowledge, 10,983–4. The Metropolitan Police is arranged generally according to population, being densest in the districts nearest to the City, 10,985–94. The City Police is densest of all; it could probably be reduced if the two forces were amalgamated, 10,995–11,000; 11,022–3. The scale of pay is somewhat higher in the City Police, and their superintending staff, except sergeants, is larger in proportion, 11,001–16. Their pensions are also higher, 11,017–8. These differences would be practically the only obstacle in the way of amalgamation, and could be easily overcome, 11,019–21. There is no decided preference for the one force over the other, transfers are rare, but the standard of height is rather higher in the City, and it might not be easy to maintain it in an amalgamated force. Recruiting from the county police is discouraged, 11,024–35. Communications are constantly passing between the City and Metropolitan police forces as regards criminals, &c., but the fact that the forces are distinct may facilitate escape, 11,036–9. Sir George Grey brought in a simple Bill for the amalgamation of the two forces in 1863. The problem has not become more difficult since, 11,040–6. The transfer of the City Police to some other local authority would not affect the present state of things so long as its control rested, as at present, with the Commissioner, 11,047–52. There is no watch committee of the Corporation, so that the Commissioner is much more independent than the chief constable of an ordinary borough, 11,053–5. If a watch committee were appointed in the new body to which the City Police were transferred, it would probably alter matters, but it would be a mistake to have a committee emanating from a body representing the whole of London to control the police in a small area of London, 11,056–7. Witness has experienced no inconvenience in serving under successive Home Secretaries representing different political parties; the administration of the police is unaffected by political considerations, 11,058–60. Relations with the County Council and their employés have always been quite satisfactory, 11,061–3. The Metropolitan Police is in constant communication with local police forces when there is any danger from a widespread conspiracy, &c., 11,072–7.

BRAND, Mr. JOHN ALEXANDER, Comptroller of the City of London.

Analysis of Evidence.

The Comptroller's Duties:

1. *Generally:*

He acts as steward of the City's estates, including the Trust estates, and does all the conveyancing work of the Corporation; is clerk to the City Lands Committee (the Chairman of which is the Chief Commoner, 7793–5) and the Bridge House Estates Committee, which manage the respective estates; attends the Courts of Common Council and Aldermen, and is Vice-Chamberlain, 7773–6, 7792, 7805, 7806.

2. *Management of the City's Estates:*

The Comptroller looks to see when a lease is expiring, and keeps the rental, which he supplies to the Chamberlain with an account of receipts, for which the latter has to account to the Corporation, 7777–9. He keeps an account of all the City lands, vacant or otherwise, with a marked Ordnance map showing their situation, 7780–8. The City estates are mainly in the City, and in Bond Street and Conduit Street, 7789, 7790. The Bridge House estates—mostly building land—lie mainly outside the City, in Southwark, Lambeth, Lewisham, Esher, Ewell, and Essex, 7791, 7816, 7817. Almost all the property is let on repairing leases for 80 or sometimes 90 years,

BRAND, Mr. J. A., Evidence of—*cont.*

premiums being taken only on leases of public-houses which are usually let for 21 years, 7796–801. When a lease is about to expire the occupying tenant is asked, two years before it runs out, if he wishes to take a new lease; if terms cannot be arranged with him the property is let by tender, 7802, 7807, 7808. The rents are, on the whole, increasing, especially on the Bridge House Estates, 7803, 7804, 7818–20. The City's and Bridge House Estates are managed on the same principles by their respective committees, 7805, 7806. The leases on the Conduit Mead Estate have since James the First's time been granted for periods of 40 years, perpetually renewable every 14 years on payment of a fine. These fines go to the City's cash as income, but money paid for the commutation of fines goes to pay off the Grain Duty Debt, 7807–15. It is held that the Corporation cannot purchase land without a licence in mortmain and has no power of sale of its own or the Bridge House Estates. All money received under Railway Acts, &c., for property is paid into Chancery, and ultimately re-invested in land, 7821–34. The rental of the Bridge House Estates is 92,000*l.* a year, charged with the repayment of, and interest on, the debts incurred for rebuilding Blackfriars Bridge, purchasing Southwark Bridge, and building the Tower Bridge, and with the cost of maintaining all the City bridges. A certain number of the bonds of these loans are by a voluntary arrangement redeemable annually, 7835–45, 7870, 7871. The extension of the application of these revenues to other bridges than London Bridge has been—and probably will be in future—voluntarily made under statute, as to a *cypres* purpose. These revenues have never been applied to augment the City's cash, 7846–53, 7872–9. The southern end of all the bridges, and the northern end of the Tower Bridge, too, are outside the City boundaries, 7854–9. The bed of the Thames belongs to the Thames Conservancy, by an arrangement made to terminate a dispute between the Crown and the Corporation as to ownership; the Corporation has acquired control up to the abutments of the bridges. The foreshore and the river above the City belong to the Crown, 7860–9.

3. *Control over Apprentices, &c.:*
The Comptroller as Vice-Chamberlain tries disputes between apprentices and masters in his absence. This jurisdiction is highly prized, and in the event of amalgamation it would be well to extend it, 7879–81.

4. *Accounts:*
The way in which the accounts of the Corporation are kept has been quoted with approval by a House of Commons Committee, 7882–4.

5. *Assets and Liabilities of the Corporation:*
The assets are ample to meet all the liabilities. The financial position of the Corporation never was so strong. City bonds are constantly authorised as an investment by the Court of Chancery, 7885–8. The Corporation now pays out of its own cash for several things which might be paid out of rates, *e.g.*, the lunatic asylum, but it has no intention of levying such rates, 7890, 7891. A table of assets and liabilities of the Corporation could be prepared if necessary, 7892–9.

BRIDEWELL HOSPITAL. *See under* CORPORATION, 7.

BRIDGE HOUSE ESTATES:

Derived from Crown grants and private gifts, and from savings of revenue, the Bridge House Estates Fund is administered as a trust for Blackfriars, Southwark, and Tower Bridges, under recent Acts. Receipts and expenditure, *Rotton*, 534–43, 562–74; *Gomme*, 3933, 3935–64; *Kemp*, 5207–18, 5983. Investments out of, *Gomme*, 3680. Situation and management of the estates, *Brand*, 7791–869. There will be a considerable increase in the revenue from them—now about 92,000*l.*—in the near future, *Brand*, 7803–4, 7818–20.

(*See also* Bridges.)

BRIDGE WITHOUT, Ward of (represented by the Senior Alderman). *See* Southwark.

BRIDGEMASTERS:

Election and audit of accounts of, *Kemp*, 4590–5, 5212. They supervise the bridges belonging to the Corporation, *Kemp*, 5213, 5903.

BRIDGES:

(i.) *The Corporation* is authority over London, Blackfriars, and New Tower Bridges, *Rotton*, 529–33; *Bridgman*, 1674–81. The Bridge House Estates, originally given and acquired for maintenance of London Bridge, have been used also as security for loans for other Corporation bridges, *Rotton*, 534–5, 562–74; *Gomme*, 3933–64; *Kemp*, 5207–18, 5983. Southwark Bridge thus freed from tolls (*Rotton*, 536). Financial condition of estates fund, *Rotton*, 538–43; *Gomme*, 3680. The bridges are managed by a Common Council Committee, *Kemp*, 5212, 5213.

(ii.) *The County Council* is authority for the other London bridges; Hammersmith being the highest up the river (*Rotton*, 544–9). Bridges at Kew, Kingston, Hampton Court, Walton-on-Thames, Staines, Chillingford and Tottenham Mills freed from toll out of Coal Dues by joint committee of Metropolitan Board of Works and Corporation, *Rotton*, 550–61; *Dickinson*, 1203–5; *Gomme*, 3965–81.

Transfer of all the Thames bridges to the proposed New Corporation, *Harrison*, 8853, 9011–30; *Cohen*, 12,727–37; *Antrobus*, 13,021–6; *Harris*, 13,128–32.

BRIDGMAN, Mr. HENRY HEWITT, *Chairman*, Mr. Henry Blake, *Chief Clerk*, Dr. William Sedgwick Saunders, *Medical Officer, and* Mr. David James Ross, *Assistant Engineer, of the* Commissioners of Sewers for the City of London.

Analysis of Evidence.

[Mr. Bridgman, elected in February 1893 to the annual appointment of Chairman (not having served before), introduced the various officers of the Commission who gave evidence concerning their departments, 1457–60.]

1. Origin and early History of the City Commission of Sewers:

The Commission was first nominated in the reign of Charles II., after the great fire, under an Act of 1667, to regulate the rebuilding of the City of London, as to sewers and drains, &c.; there may have been local associations regulating drainage, &c., before that time. The Act was at first temporary, but it has been made perpetual, 1462–8. The Corporation delegated these duties to the Commission, not wishing that their Corporate arrangements should be mixed up with functions as to drainage, &c., then thought less important, 1511, 1512.

The first Commission consisted of 12 judges, in conjunction with the City Lands Committee of the Corporation, with a view of settling disputed questions of ownership and value, &c., which might arise in the process of reconstructing London; the ultimate outcome being the constitution of the Commissioners of Sewers to look after questions of drainage, &c. The Commission is treated like any other committee of the Corporation, 1553–5. The control of the Corporation was not extended over a larger portion of the metropolis because of the opposition raised by various local commissions which then existed, 1555; and which were afterwards absorbed in the vestries under the Metropolis Management Act of 1856, 1556, 1557.

2. Election of the Commission:

It is customary for the Common Councilmen representing a ward to choose from among their number their representatives on the Commission, 1472. They are chosen by seniority, and about one-third of the Common Councilmen in each ward serve on the Commission; they serve for several years, 1483–98. Their names are brought before a "Previous" meeting of the Council, the day before the

BRIDGMAN, Mr. H. H., &c., Evidence of—*cont.*

2. Election of the City Commission of Sewers—*cont.*
first court. At the first court they are nominated, and, if none are rejected, their nominations are sealed at the next court, 1472–82. In Mr. Bridgman's own ward, Cheap, there has not been much change in the eight Common Councilmen elected of late years, and the three of them serving on the Commission have held office for the past three years; they would resign if they felt incompetent, and other three from the eight would take their places, 1499–1510.

3. Size of the Commission:
The Commission formerly consisted of about 100 members, about a third of the number of Common Councilmen, of whom 52 (26 Deputies and 26 Aldermen) were ex officio members; now, Deputies are elected like other members, and only six Aldermen are nominated, 1513–21. The Common Council need not select the Commissioners from their own number; they may elect outsiders, but have not done so, 1523, 1524. In 1866 the number was increased from 83 to 92, three members of the Metropolitan Board of Works being elected as ex officio members; this increase was made because of the growing importance of the work of the Commission, 1539–41.

4. Committees:
The three great standing committees are the "Finance and Improvement," "Streets," and "Sanitary" committees; five from each of these form the "Audit" committee; four committees meet each fortnight, their numbers average 30, and about two-thirds of the members attend; the Chairman and late Chairman attend all committees as ex officio members, 1525–38.
The Commission itself sits once a fortnight, the meeting lasts for two to four hours, about two-thirds of the members attend, 1526–30.
The number of Commissioners is no more than sufficient, if there were less they would be overworked; the Chairman, having to attend every committee, is very hard worked, 1543, 1544.

5. Control of Ratepayers over the Commission:
At the election of Common Councilmen the electors frequently raise questions as to their representatives' work on the Commission, and thus, indirectly, have a voice in the Commission's election, 1545–8.
Their meetings are held in public and are fully reported, 1549, 1550. It is peculiar to London for the municipal body to delegate to a commission a large part of their work, 1551, 1552.

6. Control of the Common Council over the Commission:
Once created, the Common Council has no power over the Commission unless they supersede it by a new Commission; it does a great part of the municipal work, 1558–68.

7. Distinction between Powers of Common Council and of Commission:
Various Acts give the Commission original powers as to control of streets, lighting, sewers, and cleansing, sanitary matters, and construction of buildings, &c. Its rating powers are limited, but the limit is not reached, 1569–75. The Common Council undertook the Holborn Valley Improvements under a special Act; apart from special Acts the Commission has denuded the Council of all powers as to improvements, 1576, 1577.
The Remembrancer watches all Bills in Parliament likely to affect the City, and reports to both the Commission and the Council, 1578–82.

8. Powers of Commission outside the City:
The Commission has power as regards the liberties of the City, and as a burial board it has a cemetery outside; anyone can bury there, but lower fees are charged to citizens, 1583–90. Otherwise all the powers of the Commission are confined to the City. The Corporation has some powers, *e.g.*, as regards markets, extending beyond, 1591, 1592.

BRIDGMAN, Mr. H. H., &c., Evidence of—*cont.*

9. Expenditure and Receipts of the City Commission of Sewers:
The accounts for the year 1892 balance very closely, 1593–5. There is generally a small credit balance, 1596. The main receipts come from the rates. The Commission has no rents from lands to swell its income. The only property held by the Commission is that required for proper discharge of its own functions, 1597–605. The net debt is 1,620,624*l.*, incurred for improvements and the erection of artizans' dwellings, 1607, 1608.

10. Borrowing Powers:
The Commission has by statute limited borrowing powers for general purposes (improvements, &c.), and unlimited borrowing powers for artizans' dwellings; under the Artizans' Dwellings Act of 1881 the Commission may borrow up to a maximum of 500,000*l.*, and may re-borrow as any part is paid off, 1612–8, 1624–9. Under other Acts debt has to be paid off within a certain time, 1612–22, 1631.
There is a sinking fund in regard to the half million loan; all other loans are raised by temporary bonds, which are drawn and paid off from time to time. One extends to 60 years, and is re-payable by half-yearly instalments, 1881–6.
The Commission can borrow through the Corporation at a cheaper rate (3 per cent.) than of itself in the open market, the Corporation loans making a larger stock for investment, 1924–8. The London County Council can borrow at a lower rate than 3 per cent., 1928–33.
A table (put in) of assets and liabilities is drawn up every year to enable the Commission to estimate the necessary amount of rates, 1630. The cost of improvements is defrayed not out of rates but from borrowed money, of which the interest and sinking fund only are charged upon the rates; the produce of surplus land is carried over to the improvements reserve account and treated as borrowed capital, 1632–9. Creation of a sinking fund provided for under Sewers Act of 1848, 1640. The improvement account is the only capital account of the Commissioners, 1642–4.
The Commission is not a corporation; it has a seal only as a burial board, 1645–7.

11. Staff:
The clerical staff, numbering about 10, is not excessive; it is appointed (practically re-appointed) yearly as the Commission comes in; there is no system of superannuation, the grant of gratuities and pensions on retirement being at the discretion of the Commissioners; the staff is entirely different from that of Corporation, 1648–63. In some cases the Corporation appoints officers who are paid by the Commission, 1663–7. The Corporation employs a surveyor, the Commission an engineer and surveyor in one, 1670. The Commission's engineer (Col. Haywood) was engaged by the Corporation to undertake the Holborn Valley improvements, being lent by the Commission to the Corporation who paid him as they would an outsider, 1671–3. The Corporation has no engineering work and only needs to employ a surveyor, whereas the Commission needs an engineer to construct sewers, &c. The Tower Bridge is being built by an outside engineer, 1674–81. The City Chamberlain, who is paid by the Corporation, acts as treasurer to the Commission, 1914.

12. Comparison of Work and Powers of Vestries and of the Commission:
The work of (St. Pancras) vestry and of the Commission is practically the same, with the exception of the larger improvements carried out by the latter; but the vestries have to get the County Council consent to borrow, 1682–96, 1722–4.
Certain powers, such as those under the "Building Acts" and "Sky Signs" Act, are exercised by the Commissioners of Sewers without the control of the County Council, whereas the vestries are entirely under the Council. 1732–8. The powers of the vestries

BRIDGMAN, Mr. H. H. &c., Evidence of—*cont.*

12. Comparison of Work of a Vestry and of the City Commission of Sewers—*cont.*

and of the Commissioners with respect to paving and lighting, &c. exactly correspond, 1789. The rateable values of City and St. Pancras are respectively 4,000,000*l.* and 1,500,000*l.*, 1704–6.

13. Assistance from other Bodies towards Improvements:

In former years the Metropolitan Board of Works contributed some 30,000*l.* a year towards the cost of improvements in the City, and the Commission, in anticipation of its continuance, embarked on several undertakings, so that if the Board still existed it would now be in debt to the City to the extent of 200,000*l.*, 1697. The County Council has assisted in the case of a small improvement at Finsbury only, 1698. Witness does not recommend that the City should bear the same relation as the vestries to the County Council in respect of improvements; it is more necessary to avoid publicity in such matters in the City than elsewhere in London where land is less valuable, 1699–1704.

The Metropolitan Board of Works carried out the Queen Victoria Street improvement, to which the City, as ratepayers, contributed; Holborn Viaduct was carried out at expense of coal and wine dues; Cannon Street was made by City alone under special Act, 1705–11. Arthur Street East was made by the Commissioners, who also contributed 250,000*l.* to the Eastcheap improvement, 1712–5. The Commissioners are continually improving the City streets under Michael Angelo Taylor's Act, 1716–21. It is practically impossible to effect a whole street improvement in the City at once, 1726, 1727. But it would have cost less to complete the Ludgate Hill improvement at one stroke than it has done, 1729–30.

The total cost of the improvements carried out by the Commissioners of Sewers between 1851 and 1892 has been 3,026,000*l.*, towards which the Metropolitan Board of Works contributed 591,000*l.*, the remainder being paid for out of the rates, 1830–4. The City ratepayers contribute annually one-eighth part of the cost of improvements effected in metropolis outside City, 1835–7.

Financial effect of withdrawing the area under the jurisdiction of the Commissioners from the control of the County Council, 1741–5.

14. Audit:

The accounts of the Commission are audited by three auditors appointed by the Common Council (not the Commissioners). They are always professional accountants, and declare their audit to be correct before a magistrate, 1747–57.

They or anyone else concerned may appeal to Quarter Sessions on questions of audit, 1759–69.

15. Water Supply:

The Commission has authority to supply water for street purposes; they have sunk an artesian well from which their artizans' dwellings are supplied (formerly by New River Company), the quantity is large and quality good; a proposition to water streets from the well is under consideration, 1770–5. The expense of sinking the well was charged to annual expenditure, and defrayed out of rates as it could not be met by borrowed money, 1776, 1777. The Sewers Act of 1848, s. 147, gives the Commissioners power to sink wells for water-supply in City, &c., 1788. There is sufficient water in the well to supply the City, 1789. But the Commissioners have no power to lay pipes for supply to public, and so cannot compete with New River Company, 1790–2. Water is found in fissures in the water-bearing strata of chalk, 1793–8. Depth of well, 512 feet, 1803. The supply is dearer than that of New River Company, because of first cost of well; if the area of service were extended the proportionate charge would be much less, 1799–1804.

BRIDGMAN, Mr. H. H., &c., Evidence of—*cont.*

Duties of City Commission of Sewers—*cont.*

16. Watching Bills in Parliament:

The Commissioners have power under the Sewers Acts to oppose and promote Bills. This power, however, is never exercised, as all necessary Bills are promoted by the Corporation, 1805–8. The Commissioners oppose Bills likely to injure the citizens' rights, 1809–15. Anything adversely affecting the ratepayers, as apart from the population, would be opposed on behalf of the Commissioners; the City Remembrancer would charge the Commission with counsel's fees but would himself be paid by the Corporation, 1818. The inability of corporate bodies generally to expend money on opposing Bills arises under the Borough Funds Act and Local Government Act, 1888; if the Commissioners wish to propose or oppose any Bill not touching their particular powers, they do so through the Corporation, 1819–26.

Half the sewers rate is payable by the owner but is generally paid by the occupier under contract with the owner, 1827–9.

17. Artizans' Dwellings, Erection of:

Cost of site, 236,604*l.*, less recouped by sale of land 116,078*l.*, net 120,526*l.* Cost of building, 80,389*l.*, 1838–40. Total cost, 200,915*l.* Two sites were cleared, one built on and the other is now for sale, 1841–3. They pay about 1½ per cent on outlay, 1844–8. The Commissioners' expenditure on artizans' dwellings equals one-eighth of the whole of similar expenditure of London, 1852. The Corporation has also erected artizans' dwellings, 1854–6. Few of the inhabitants of the Commissioners' dwellings are really artizans. Many are Jews, of whom several had to be turned out because of their troublesome habits, 1857–65. The Commission has no more work of the same kind in contemplation, 1864. The rents received in 1892 were 5,589*l.*; rates, taxes, and repairs, nearly 4,000*l.*; leaving a return of about 1½ per cent. on the outlay, 200,000*l.*, showing that the City is unsuitable for the development of artizans' dwellings, 1867–71. The night population is small compared to the rateable value of City, 1872–4. Possibility of these dwellings being built outside City, 1875–80.

18. Gas and Water:

The Commissioners have no power over companies, only control lighting of streets, 1903–4. The Corporation acting through Gas and Water Committee, now County Purposes Committee, has the general control over the Gas and Water Acts affecting the City, especially as regards provisions limiting dividend payable, compelling public issue of new stock, creation of sinking fund in hands of Chamberlain, &c. 1906–8.

19. Port Sanitary Authority:

Powers of, entirely exercised by Corporation 1909, 1910.

20. Improvements:

Many improvements have been undertaken by the Corporation in order to save the citizens' rates, 1911, 1912. The Corporation has contributed largely to the expenditure of the Commissioners of Sewers upon improvements, 1913. There is no clashing of interests with the County Council by reason of streets being entirely under the control of the Commissioners, while the main sewers are in the hands of the Council, 1917, 1918.

21. Street Cleansing:

The Commissioners have some 300 boys daily clearing streets of filth, which is carried away in the night; the vestries nearer the City cleanse their streets in the same way better than those further off, 1919–21.

22. Markets:

There is no disadvantage in the powers of the Common Council and the Commission overlapping, as in the case of markets, 1936.

BRIDGMAN, Mr. H. H., &c., Evidence of—*cont.*

23. Schools in the City:
The School Board rate for the last two or three years has been between 10*d.* and 11*d.* in the 1*l.* Only one Board School in the City; there are elementary ward schools in each ward, 1946–50.

24. Salaries of Staff:
The whole about 60,000*l.* a year; the indoor about 13,000*l.* a year; cleansing streets, 634 workers, 30,000*l.* Of the total expenditure of the Commissioners (465,000*l.*), 179,000*l.* goes to School Board, 119,000*l.* interest on sinking fund, and 60,000*l.* to salaries and working.

25. Expenses of Commissioners:
600*l.* a year allowed by Corporation for expenses, refreshments, &c., 1945–58., but the Commissioners are quite unpaid, 1887–8. In 1866 a new Commission was issued, although the previous one had been sealed two or three months before; in the second Commission the number was added to, 1889–94. It is advantageous to have Corporaters on the Sewers' Commission as several matters come to the knowledge of a Common Councilman which are useful to him as a Commissioner, 1895–1902.

26. Corrections of Mr. Rotton's Evidence:
About wards and parishes, number of Commissioners, their powers as regards water-supply, dangerous buildings, &c., 1959–61.

BRIXTON, CITY SCHOOLS AND CHARITIES IN. *See* CORPORATION, 7.

BUILDINGS, REGULATION OF:

1. *New Buildings:*
The County Council is the authority both inside and outside City, *Rotton*, 285–9; *Harrison*, 855; *Dickinson*, 876–81, 13,592, 13,601–11; *Whale*, 11,349–57; *Leete*, 10,564–81, 13,219–56; *Longstaff*, 11,761–3, 13,793–802.

2. *Dangerous Buildings:*
(*a.*) *In City*, the Commissioners of Sewers have powers, *Rotton*, 290–4; *Harrison*, 855, 874–5.
(*b.*) *Outside City*, the County Council is the authority, *Rotton*, 290–4; *Harrison*, 855; *Longstaff*, 14,069–93.

3. *Dilapidated Buildings:*
The County Council is the authority both inside and outside City, *Harrison*, 855, 874–5; *Dickinson*, 876–81, 13,611–4; *Longstaff*, 14,065–8, 14,142, 14,143.

See also under VESTRIES, C. 4. (*Redistribution of functions between the central and local authorities*), and C. 5. (*Administration of the Building Acts*).

BURIAL BOARDS:

Authorities to provide cemeteries and mortuaries—

(*a.*) *In City:*
The Commissioners of Sewers are burial board. Majority of vestries must approve acts of Board. Secretary of State is central authority, *Rotton*, 455; *Bridgman*, 1583–9.

(*b.*) *Outside City:*
Each vestry, even of grouped parishes, appoints burial board for its parish. Secretary of State is central authority, and approval of Treasury is necessary for loans, *Rotton*, 456–8.
Burial boards have no power to acquire land compulsorily; their expenses are payable from the poor rate, *Rotton*, 461.
The powers and duties of burial boards might be transferred to the local authorities, *Bonthron*, 13,352–61, 13,400–1; *Boulnois*, 12,575–8; *Harris*, 13,068–71; *Holland*, 11,912–20; *Leete*, 10,559; *Robinson*, 11,816–20; *J. E. Smith*, 12,235–44, 12,267–81; *Tagg*, 10,726–34, 10,808–11; comments on this proposal, *Dickinson*, 13,629.

BURNHAM BEECHES:

Acquired and maintained by the Corporation out of the proceeds of the grain duty under the Corporation of London Open Spaces Act, 1878, *Rotton*, 378–80; *Gomme*, 4073–9; *Kemp*, 5373–81.
Proposed transfer of, to new Corporation, *Harrison*, 8853–5; *Antrobus*, 13,038–40.

BYELAWS:

Power of County Council to make byelaws as regards—

(*a.*) *In and outside City:*
Theatres and music halls, shop hours, pollution of rivers, *Dickinson*, 1415–9, 1447–51.

(*b.*) *Outside City only:*
Racecourses, slaughter and cow houses, infant nursing, electric lighting, weights and measures, *Dickinson*, 1419–46.
Table of byelaws, *Dickinson*, 1456.
(*See also under* County Council, 2 (vi), *and* Vestries, C. 4. (*i.*) (*Redistribution of functions between the central and local authorities.*))

CAMBELL'S (Sir THOMAS) BEQUEST:
Coal supplied to several parishes in London and Southwark from, *Gomme*, 4372.

CAMBERWELL, St. Giles:
1. *Evidence* on behalf of Vestry of. *See* Tagg.
2. *Area*, &c. of Parish, it includes Penge for county purposes, *Tagg*, 10,700–4, 10,797–839; *Costelloe*, 13,956–62, 13,985; *Dickinson*, 1228, 8637–40, 13,633–4; *Kemp*, 5708–9.
3. Resolutions passed by Vestry on London government, *Tagg*, 10,797–839.
4. Interest of Vestry in Dulwich College, &c., *Tagg*, 10,709–11.
5. Rating authorities in, *Dickinson*, 1228.

CANDIDATES for various public offices, &c. in London, qualifications of. *See* Table (B) of Qualifications at end of Index.

CANNON STREET:
Constructed by Common Council under the City of London Improvement Act, *Rotton*, 490–3, *Bridgman*, 1711.

CARRIAGES, HACKNEY AND STAGE: *See* HACKNEY AND STAGE CARRIAGES.

CEMETERIES AND MORTUARIES:

1. Cemeteries:
(*a.*) *In City*—
The Commissioners of Sewers are the Burial Board; the majority of vestries must approve the acts of the Commissioners; the Secretary of State is the central authority, *Rotton*, 455; *Bridgman*, 1583–9.
(*b.*) *Outside City:*
Each vestry, even of grouped parishes, may appoint a burial board for its parish, but all have not done so; the Secretary of State is central authority, and the Treasury must approve loans, *Rotton*, 456–8; *Dickinson*, 1164–72.
Expenses payable from poor rates. The County Council has no powers, *Rotton*, 461.

2. Mortuaries:
(*a.*) *In City*—
Provided by Commissioners of Sewers under Public Health Act, 1891, *Rotton*, 462–5.
(*b.*) *Outside City*—
Provided by vestries and district boards, acting either separately or two or more together under an arrangement approved by County Council, *Rotton*, 462–4.
The County Council may provide mortuaries for coroners' inquests, *Rotton*, 463. So may the vestries, but very few do, *Dickinson*, 13,489; *Westocatt*, 13,177–80.

CENSUS, DAY, OF THE CITY. *See* Day Census.

CENTRAL AUTHORITY, Constitution and functions of. *See* AUTHORITIES; AMALGAMATION, 3, *and* VESTRIES, &c., 4.

CENTRAL CRIMINAL COURT:
Takes the place of the Assize Court; there is a permanent Commission; it meets every month at the Old Bailey; judges; regulations as to prisoners, *Kemp*, 6124–35; *Cohen*, 12,884; *Hall*, 7444–7; *Fulton*, 7561.
The Lord Mayor and aldermen are Commissioners of, *Evans*, 2115–8; *Kemp*, 6124.
The Court is always opened by the Lord Mayor; one alderman must attend besides the judge, *Hall*, 7444–7; *Fulton*, 7501.
Class of cases tried at, *Kemp*, 6130–4.
See also Lord Mayor.

CENTRAL CRIMINAL COURT—*cont.*

District of Administration:

As defined by the Act 4 & 5 Will. IV. c. 36. s. 2 the Central Criminal Court district comprises the whole of the Middlesex and Administrative County of London, Mottingham in Kent, Barnes, Mortlake, Kew, Richmond, Merton and Wimbledon, in Surrey, and Barking, East and West Ham, Ilford, Layton, Walthamstow, Wanstead, Woodford, and Chingford in Essex, *Rotton*, 129; *Dickinson*, 1181.

CHAIRMAN, DEPUTY-CHAIRMAN, AND VICE-CHAIRMAN OF THE LONDON COUNTY COUNCIL:

Functions, &c. of, *Harrison*, 8751–821.

CHAMBERLAIN, CITY:

(i.) Elected annually in Common Hall, *Kemp*, 4590–5; *Payne*, 6648–9. Deed of covenant entered into by once for all, *Payne*, 6650. He finds security for 60,000*l.*, *Payne*, 7062–3.

(ii.) He acts as Treasurer to Commissioner of Sewers, *Gomme*, 3755–9; *Bridgman*, 1914; he acts as Treasurer of the Corporation Accounts, City Trust Accounts, those of the Police Commissioners, and the City Commissioners of Sewers, he makes no charge for keeping these accounts, *Gomme*, 3755–9; *Payne*, 6645–54; *Brand*, 7777–9; he is Treasurer of Sinking Fund created under recent Acts with a view to the ultimate purchase of the water companies' undertakings, *Rotton*, 351; *Bridgman*, 1906–8; *Payne*, 6643–7. The interest on the balances in his hands is applied to meet expenses of Town Clerk, Comptroller, Solicitor, &c., *Payne*, 6651–4 The Comptroller is Vice Chamberlain, *Payne*, 6690–6; *Brand*, 7773–6, 7792, 7879–81.

(iii.) *Judicial powers of.* *See* CITY OF LONDON, 5. (COURTS OF JUSTICE) (*e.*).

CHANCELLOR, THE LORD:

Presentation of Lord Mayor to, *Monckton*, 2416–30.

Appointment and removal of Justices by, *Kemp*, 6142, *Monckton*, 2655–74.

CHARTERED GAS COMPANY. *See* GAS SUPPLY.

CHARTERS OF THE CITY OF LONDON. *See* CORPORATION, 1. (CONSTITUTION.)

CHELSEA. ST. LUKE'S:

(i.) *Evidence* on behalf of Vestry of. *See* HOLLAND.

(ii.) *Area, &c.* of parish. A part is detached, and lies three miles away from the rest, a proposal for its separation from Chelsea and union with Kensington or Paddington was strongly opposed by the inhabitants, *Holland*, 11,880–94; *Dickinson*, 1130–40, 13,628; *Costelloe*, 13,947–55, *Leete*, 10,651–4.

(iii.) *Conference of Vestries* promoted by, *Holland*, 11,880–94, 11,911–3; *Costelloe*, 13,945–54; *Leete*, 10,559–673.

(iv.) Rating authorities in, *Dickinson*, 1228.

CHIEF COMMONER of the City of London. The Chairman of the City Lands Committee is so styled, *Brand*, 7792–5.

Informal meetings called by, *Monckton*, 6430–5.

CHIEF OF STAFF, Comparative advantages of permanent and elective. *See* HEAD OF STAFF.

CHILDREN, PROTECTION OF, AND PREVENTION OF CRUELTY TO:

The County Council makes byelaws respecting, *Dickinson*, 1456; *Leete*, 13,329–32.

These duties might be entrusted to the local authorities, *Leete*, 13,329–32.

CHRIST'S HOSPITAL:

Now managed under scheme of Charity Commissioners of 1891, *Kemp*, 5411; rights of nomination of Lord Mayor and Aldermen, *Kemp*, 5423–7.

The Court of Aldermen appoints six of its number to serve on the Council of Almoners of, *Monckton*, 2645–7, *Kemp*, 5423–7.

CITIZENS. *See* COMMON COUNCIL, 1. (*a.*) (*Electors*), *and* FREEMEN OF THE CITY OF LONDON.

CITY GREEN YARD, *Brand*, 7925.

CITY LANDS COMMITTEE OF CORPORATION:

The first Commission of Sewers, nominated in reign of Charles II., consisted of 12 Judges in conjunction with the City Lands Committee, with a view to settling disputed questions of ownership and value arising out of the rebuilding of London, *Bridgman*, 1553–5.

CITY OF LONDON:

1. BOUNDARIES OF.
2. CONSTITUTION OF. *See* CORPORATION, 1, *and* FREEMEN.
3. GOVERNMENT OF.
4. AUTHORITIES IN.
5. COURTS OF JUSTICE.
6. CUSTOMS.
7. FREEDOM OF. *See* FREEMEN.
8. PROPERTY OF. *See* CORPORATION. 6.

1. BOUNDARIES OF:

The City may be divided into London within and without the walls, *Kemp*, 4505–10. From the time of Richard II. the City has had jurisdiction within its walled area and within a certain distance over the liberties outside that area, *Monckton*, 2474–5. It might have extended its jurisdiction beyond the bounds of the liberties, but could not have so extended its customs without special statutory authority, *Kemp*, 4511–7. Outside its boundaries its jurisdiction was limited only by other jurisdictions, *Kemp*, 4518–21. The power of extension does not now exist, *Kemp*, 4522. Witness thinks some of the City customs, such as market overt, should not be extended to the whole of the Metropolis, *Kemp*, 4544–60, 5910–34.

Population of. *See* DAY CENSUS.

Wards.—The City is divided into 26 wards, which are ancient divisions, comprising, in some cases, several parishes or dividing parishes, *Rotton*, 35–7; *Blake*, 1959. Farringdon Ward was split in two in the reign of Richard II., this Act was confirmed by Parliament, though it could have been done by Common Council alone, *Monckton*, 2468–71. Since the number of wards was fixed in Edward VI.'s time, there have been one or two extensions of the outside wards, but there has been no readjustment of wards within, *Monckton*, 2472–82, 2352–6.

2. CONSTITUTION OF THE CITY CORPORATION. *See* CORPORATION, 1, *and* FREEMEN.

3. GOVERNMENT OF—

The City is a county of itself, with the independence of a county, *Monckton*, 2302–5.

The government of the City is in the hands of the Corporation, comprising:

(i.) *The Lord Mayor.*—The executive chief, being one of two aldermen nominated by freemen being liverymen to the Court of Lord Mayor and Aldermen, *Rotton*, 15–27, *Evans*, 2053–280; *Monckton*, 2374–467: *Kemp*, 4585–620. *See also under* LORD MAYOR.

(ii.) *Aldermen.*—26 in number, elected in the wards by persons rated at 10*l.*; candidates must be voters on Parliamentary register; practically elected for life, *Rotton*, 29–33; *Monckton*, 2483–817; *Kemp*, 4523–33, 4621–33.

See also under ALDERMEN OF THE CITY.

(iii.) *Common Councilmen.*—206 in number, representing the same wards as the aldermen; re-elected every year on St. Thomas' Day; the number of members for each ward is proportionate to the population, *Rotton*, 47–59; *Monckton*, 6203–406; *Kemp*, 4634–52.

See also under COMMON COUNCIL.

(iv.) *Commissioners of Sewers.*—92 in number, nominated under seal of Common Council, as a rule, from its own members, *Rotton*, 81; but it may nominate any one and any number; the Lord Mayor is a Commissioner and ex-officio chairman, *Rotton*, 82–6; *Kemp*, 4611–20; *Bridgman*, 1457–1541.

See also under SEWERS, COMMISSIONERS OF.

4. AUTHORITIES IN CITY FOR—

ALKALI WORKS, REGULATION OF: Commissioners of Sewers.

ARTIZANS' DWELLINGS. *See* HOUSING OF THE WORKING CLASSES.

CITY OF LONDON—*cont.*

4. AUTHORITIES IN—*cont.*

ASSESSMENT:
Union Assessment Committees (acting through the overseers in the first instance), with appeal to general and special assessment sessions.

BATHS AND WASH-HOUSES:
The Vestries of the several parishes may adopt the Act, *Dickinson*, 1160.

BRIDGES:
Corporation, *Rotton*, 529–33; *Dickinson*, 895–7.

BUILDINGS, REGULATION OF:
(*a.*) *New buildings:*
County Council, *Rotton*, 285–8; *Harrison*, 855; *Dickinson*, 876–81.
(*b.*) *Dangerous buildings:*
Commissioners of Sewers, *Rotton*, 290; *Harrison*, 855, 874, 875.
(*c.*) *Dilapidated buildings:*
County Council, *Dickinson*, 876–81.

CARRIAGES, HACKNEY AND STAGE, *see* HACKNEY AND STAGE CARRIAGES.

CEMETERIES AND MORTUARIES:
(i.) *Cemeteries:*
Commissioners of Sewers, subject to majority of vestries, *Rotton*, 455–8.
(ii.) *Mortuaries:*
Commissioners of Sewers, *Rotton*, 462–5.

COAL, SALE OF. *See* WEIGHTS AND MEASURES ACT, 1889.

COMMON LODGING-HOUSES, REGULATION OF:
Commissioners of Sewers, *Rotton*, 279.

COMMONS AND OPEN SPACES:
(i.) *Commons:*
County Council.
Corporation, under private Act of 1878, may also acquire and maintain commons outside the County of London, and within 25 miles of the City, *Rotton*, 375
(ii.) *Open Spaces:*
Corporation, *Rotton*, 379–81.

CONTAGIOUS DISEASES (ANIMALS) ACT, ADMINISTRATION OF:
Corporation, both as regards foreign and home animals. The Commissioners of Sewers are the rating authority, *Harrison*, 855; *Dickinson*, 1332–4, *Kemp*, 5035.

CORONERS:
Appointed and paid by Corporation, *Dickinson*, 965–7.

COWHOUSES, LICENSING OF:
Commissioners of Sewers, *Dickinson*, 1428–31.

CRUELTY TO CHILDREN, PREVENTION OF:
County Council.

DAIRIES, REGULATION AND INSPECTION OF:
Common Council, *Dickinson*, 1431–2.

DANGEROUS BUILDINGS. *See* BUILDINGS, REGULATION OF.

ELECTRIC LIGHTING:
Commissioners of Sewers, *Dickinson*, 1436.

EMBANKMENTS, MAINTENANCE, &C. OF:
County Council, *Dickinson*, 1284–94.

EXPLOSIVES:
Common Council, Commissioners of Sewers being rating authority, *Rotton*, 364–71; *Dickinson*, 13,506–8.

FIRE BRIGADE:
County Council, *Rotton*, 372; *Dickinson*, 13,506–8.

FLOODS, PREVENTION OF:
County Council, *Dickinson*, 1284–94.

FOOD AND DRUGS, SALE OF, ADMINISTRATION OF Act.
Commissioners of Sewers.

GAS SUPPLY:
(In hands of private companies, *Rotton*, 576.)
Examiners appointed by Corporation; chief examiner by Board of Trade; referees and auditors by Board of Trade, *Rotton*, 576.

HACKNEY AND STAGE CARRIAGES:
(i.) *Licensing of Carriages and Drivers:*
Commissioner of Metropolitan Police *Rotton*, 394–9.
(ii.) *Fixing of Stands for Carriages:*
Commissioner of Metropolitan Police with approval of Court of Aldermen, *Rotton*, 400–4.

CITY OF LONDON—*cont.*

4. AUTHORITIES IN—*cont.*

HIGHWAYS OTHER THAN MAIN ROADS:
(i.) *Maintenance:*
Commissioners of Sewers, *Rotton*, 295–8.
(ii.) *Locomotive Traffic on, &c.:*
Common Council, *Rotton*, 299.
(iii.) *Closing for repairs:*
Commissioners of Sewers.
(iv.) *Closing or diverting permanently:*
The Aldermen as justices must sanction.

HOSPITALS. PROVISION OF.
Commissioners of Sewers.

HOUSING OF THE WORKING CLASSES:
(i.) *Unhealthy Areas:*
Commissioners of Sewers under Secretary of State, *Rotton*, 256–62; *Harrison*, 882–7.
(ii.) *Unhealthy Dwellings:*
Commissioners of Sewers under Secretary of State and Local Government Board (in some cases), *Rotton*, 265–75.
(iii.) *Working Classes' Lodging-houses:*
Commissioners of Sewers (but Corporation have also built several), *Rotton*, 275; *Bridgman*, 1838–80.

INDUSTRIAL AND REFORMATORY SCHOOLS:
Common Council and School Board can establish schools, *Dickinson*, 1315, 1316.

INFANT LIFE, PROTECTION OF:
Common Council, Commissioners of Sewers being rating authority, *Dickinson*, 1430, 13,514.

INFECTIOUS DISEASES, NOTIFICATION OF:
Commissioners of Sewers. County Council has also limited powers, *Dickinson*, 1398–1403.

JURY LISTS, PREPARATION OF:
Lists made out by Ward Clerk, revised by Common Councilmen and allowed by Alderman of Ward.

LIBRARIES, PUBLIC. *See* PUBLIC LIBRARIES.

LIGHTING:
Commissioners of Sewers through Gas Light and Coke Company, *Kemp*, 5689–96.

LOCOMOTIVES, REGULATIONS FOR. *See* HIGHWAYS OTHER THAN MAIN ROADS, *and* MAIN ROADS.

LUNATIC ASYLUMS:
Common Council, *Rotton*, 445–53; *Harrison*, 868–73, 916–29.
See also LUNATIC ASYLUMS.

MAIN ROADS (including tramway and locomotive traffic on):
County Council, but if Common Council claim to retain control, the Commissioners of Sewers shall perform the duties, and the County Council shall contribute, *Rotton*, 310–5.

MAIN SEWERS:
County Council, *Rotton*, 245–7; *Harrison*, 864, 946–50.

MARKETS:
Corporation, *Rotton*, 435; *Harrison*, 855; *Dickinson*, 13,534–7.

MEDICAL OFFICERS OF HEALTH. *See* SANITARY ADMINISTRATION AND CONTROL.

METROPOLITAN FIRE BRIGADE. *See* FIRE BRIGADE.

MORTUARIES. *See* CEMETERIES (ii.)

MUSIC AND DANCING LICENCES:
County Council, *Dickinson*, 1415–9.

MUSIC HALLS, LICENSING OF:
County Council, *Dickinson*, 1415–9, *Dickinson*, 13,534–7.

OFFENSIVE TRADES, LICENCES TO ESTABLISH:
Commissioners of Sewers, *Dickinson*, 1428–9, 13,510–3.

OPEN SPACES. *See* COMMONS AND OPEN SPACES.

OVERHEAD WIRES:
County Council has power to make byelaws to be enforced by Commissioners of Sewers as local authority, *Dickinson*, 1404.

CITY OF LONDON—*cont.*

4. AUTHORITIES IN—*cont.*

PARKS:
None in City, but City contributes to expenditure incurred by County Council outside, *Harrison*, 907.

PETROLEUM:
Common Council, Commissioners of Sewers being rating authority, *Rotton*, 364–71; *Dickinson*, 13,508–9.

POLICE COURTS AND FORCE:
(i.) *Courts:*
Corporation, *Rotton*, 112–8.
See also POLICE COURTS.
(ii.) *Force:*
Commissioner of City Police appointed by the Common Council; ultimate authority the Secretary of State, *Rotton*, 93–8; *Monckton*, 2587–605.

POLLUTION OF RIVERS, PREVENTION OF:
County Council, except as regards Thames and Lee (Conservancy), *Dickinson*, 1027–9.

PREVENTION OF FLOODS. *See* FLOODS, PREVENTION OF.

PUBLIC LIBRARIES:
Common Council, *Rotton*, 418–23.

RACECOURSES, LICENSING OF:
(None in City) County Council, *Dickinson*, 1420–5.

RATING:
The Commissioners of Sewers, Sewers and Consolidated Rates, *Bridgman*, 1572, 1573.
The Corporation (Police Rate.)
See also under RATES *and* RATING AUTHORITIES.

REFORMATORY AND INDUSTRIAL SCHOOLS. *See* INDUSTRIAL SCHOOLS.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES, Guardians, under ultimate control of Registrar-General and Treasury, *Dickinson*, 13,532–4.

REGISTRATION OF VOTERS:
See under AUTHORITIES, in General Index.

ROADS, MAIN. *See* MAIN ROADS.
ROADS OTHER THAN MAIN ROADS. *See* HIGHWAYS.

SANITARY ADMINISTRATION AND CONTROL:
(*a.*) *Generally:*
(i.) *For City:*
Commissioners of Sewers, with appeal to Aldermen in quarter sessions; ultimate authority Local Government Board (in some cases only), *Rotton*, 182–98.
(ii.) *For Customs Port of London:*
Corporation, *Rotton*, 199–203.
(*b.*) *Medical Officers of Health, Payment of Half Salary:*
County Council, the rest being paid by Commissioners of Sewers, *Dickinson*, 1376–9.

SEWERS OTHER THAN MAIN SEWERS:
Commissioners of Sewers, *Rotton*, 231.

SHOP HOURS ACT, ENFORCEMENT OF:
Common Council, *Dickinson*, 1447, 13,524.

SKY SIGNS:
Commissioners of Sewers.

SLAUGHTER-HOUSES, LICENSING OF:
The County Council makes byelaws to be enforced by Commissioners of Sewers, *Dickinson*, 1428–9.

SMOKE PREVENTION:
Commissioners of Sewers.

STAGE CARRIAGES. *See* HACKNEY AND STAGE CARRIAGES.

STREET IMPROVEMENTS:
(i.) Commissioners of Sewers under Michael Angelo Taylor's Act, 1817, and Sewers Acts of 1848 and 1851, *Rotton*, 477–81.
See also SEWERS, COMMISSIONERS OF, 3, (*a.*) (ii.)
(ii.) Common Council under London City Improvements Act, 1847, and private Acts, *Rotton*, 490.
(iii.) COUNTY COUNCIL, under Act of 1855.

STREETS, NAMING AND NUMBERING OF:
County Council, *Dickinson*, 1412–3.

CITY OF LONDON—*cont.*

4. AUTHORITIES IN—*cont.*

SUBWAYS:
County Council.

TECHNICAL EDUCATION:
County Council, *Dickinson*, 1067; *Leete*, 13,257–92; *Harris*, 13,070, *Tagg*, 10,763–76.

THEATRES AND MUSIC HALLS, LICENSING OF:
(*a.*) *Licensing:*
i. *Theatres:*
Lord Chamberlain.
ii. *Music Halls:*
County Council, *Dickinson*, 1415–9.
(*b.*) *Structural Regulation:*
County Council, *Dickinson*, 1415–25; *Longstaff*, 13,766.

TRAMWAYS:
(*i.*) *On Main Roads:*
County Council, *Rotton*, 307–8.
(*ii.*) *On highways other than main roads:*
Common Council, *Rotton*, 405.

UNHEALTHY AREAS AND DWELLINGS, *see* HOUSING OF THE WORKING CLASSES, (i.) and (ii.)

VACCINATION ACTS, ADMINISTRATION OF:
Guardians under Local Government Board, *Dickinson*, 13,531–2.

WATCHING BILLS IN PARLIAMENT:
Remembrancer watches Bills in Parliament likely to affect the rights of citizens, and reports both to Corporation and to the Commissioners of Sewers, *Bridgman*, 1578–82.
See also SEWERS, COMMISSIONERS OF, 3.

WATER SUPPLY:
(In hands of private companies.)
(i.) *Constancy of Supply:*
Corporation under Local Government Board, *Rotton*, 316–25.
(ii.) *Purity:*
Examiner appointed by Local Government Board, *Rotton*, 326.
(iii.) *Accounts of Companies:*
Auditor appointed by Local Government Board, with appeal to an arbitrator, *Rotton*, 326.

WEIGHTS AND MEASURES ACT, 1889, ENFORCEMENT OF:
Originally entrusted to the Court of the Lord Mayor and Aldermen, transferred thence to the Common Council. The Commissioners of Sewers are the rating authority, *Harrison*, 942; *Dickinson*, 951–64, 13,514–24.

5. COURTS OF JUSTICE:
(*a.*) *The Court of Hustings* (practically obsolete):
Presided over by the Recorder representing the Lord Mayor and Aldermen, *Hall*, 7364–5.
Consists of two divisions, "The Husting of "Pleas of Land" and "The Husting of "Common Pleas." The judges in both are the Lord Mayor and the Sheriffs. The latter court used to be the court of appeal in error from the Sheriffs' court. The Court of Hustings is the proper court for the enrolment of deeds and wills in the City, but no wills have been enrolled since 1668 and there are only a few deeds enrolled, mostly relating to scholarships at the City of London School, *Kemp*, 4713. The court is practically obsolete, and the Corporation introduced Bills to abolish it in 1867 and 1871, but they did not pass, *Kemp*, 4714–27.
(*b.*) *The Mayor's Court:*
This is a customary court of record existing from time immemorial, having jurisdiction both at common law and equity; on the common law side the court consists of the Recorder, the Common Serjeant, or the assistant judge, sitting with a jury, *Kemp*, 4728; *Fulton*, 7550–2; *Hall*, 7410–6; *Cohen*, 12,884. The Recorder is appointed by the Corporation, but the consent of the Crown is necessary before he can exercise judicial functions, *Kemp*, 4770–2; *Hall*, 7360–3. The Mayor's court was declared an inferior

CITY OF LONDON—*cont.*

5. COURTS OF JUSTICE—*cont.*

(*b.*) *The Mayor's Court*—cont.
court in a judgment given in 1847, and the special privileges of the four common pleaders were abolished on compensation in 1852, and of the four attorneys in 1853, *Kemp*, 4728–43. Acts regulating the court and appeals from it were passed in 1857 and subsequently, *Kemp*, 4744–8. Statement of business. It is preferable that suitors should proceed in the county (City of London) court for amounts under 10*l.*, *Hall*, 7387–8. Comparison of fees in the City of London court and the Mayor's court, *Hall*, 7389–99; *Jackson*, 7723–5. Class and importance of cases tried in the court, unlimited jurisdiction in some cases, *Hall*, 7399–402; *Jackson*, 7735–8. There is no limit to the amount for which actions may be brought into the court, *Kemp*, 4773. Actions, the cause of which arises within the jurisdiction of the court, may be tried in the Mayor's court, *Kemp*, 4774–8. Considerable business is done there, *Kemp*, 4779–92. Quality of the juries, *Hall*, 7403–6. The court is less profitable than the City of London court, but the business is increasing and fees decreasing, *Hall*, 7407–11; *Jackson*, 7733–5. The character of the court has greatly improved in recent years, and though, owing partly to commercial depression, the fees taken have diminished, it has always paid its way, *Fulton*, 7550–1. The practice of the court has recently been modernised under new rules, hence important business is increasing and small business diverted, *Jackson*, 7726–7. The court sits at the Guildhall and tries shipping cases by consent only, *Hall*, 7412–4. The jurisdiction of the Lord Mayor and aldermen in the Mayor's court, and at the Old Bailey Sessions is hardly more than nominal, *Hall*, 7415–6. The peculiar power of "Foreign attachment" possessed by the court has now become of little value, *Kemp*, 4749–68. There is also the obsolescent power of sequestration, *Kemp*, 4769. The court need not be disturbed by any scheme of amalgamation, *Fulton*, 7552–4. Orders from the Chamberlain's court are enforced by the Mayor's court, *Sewell*, 7123–9.

(*c.*) *The City of London Court (formerly the Sheriff's Court):*
Change effected in 1867. It is practically a county court, the procedure and fees being those of a county court, *Kemp*, 4793–6; *Wild*, 7745–50. The judge, hitherto appointed by the Corporation, will, in future, be appointed by the Crown under the Local Government Act, 1888, *Kemp*, 4772, 4796, 4797; *Wild*, 7759–60. The Corporation pays half the judge's salary and court expenses, and takes the fees, which are on the county court scale, and produce a profit. The Act of 1888 reserved certain privileges of the court, *Kemp*, 4798–811. The business and receipts are steadily increasing and thus the court is a valuable property to the Corporation, *Wild*, 7751–7, 7772, Rights and privileges safeguarded under the County Court Act, 1888, *Wild*, 7769–70, 7764–7. Recent enlargement of the court (at Guildhall), *Wild*, 7760–1, 7768–72. The Registrar and High Bailiff are not subject to annual re-election, *Wild*, 7739–42. The Registrar is appointed and removable by the Corporation, *Wild*, 7763.

(*d.*) *The Court of the Borough of Southwark:*
This court has unlimited cognizance of all personal actions at common law arising within the Mayor's jurisdiction in Southwark, *Kemp*, 4812. The limits of this jurisdiction, 4812. The court is practically obsolete, 4812.

(*e.*) *Chamberlain's Court:*
The court adjudicates between masters and apprentices, admits freemen, and enrols apprentices, *Sewell*, 7073, 7117.

CITY OF LONDON—*cont.*

5. COURTS OF JUSTICE—*cont.*

(*e.*) *Chamberlain's court:*
The Chamberlain or Comptroller presides as judge, *Sewell*, 7080, and has power to commit apprentices or masters to Bridewell, *Kemp*, 4814–27; *Sewell*, 7083–6. In the event of amalgamation it would be well to extend the Chamberlain's powers, *Brand*, 7879–81. There are about 14 cases a year, *Sewell*, 7081–2, 7122. Magistrates have concurrent powers, *Sewell*, 7087–90, 7118, *Kemp*, 4828 and 5900. Offences punishable, *Sewell*, 7083–6, 7093–7100. Where cases are substantiated against masters, the Chamberlain makes an order which is enforced by the Mayor's court, *Sewell*, 7123–9. Number of City apprentices; term of servitude, *Sewell*, 7101–4. About 500 freemen are admitted annually; a roll is kept. There are nearly 9,000 voters in Common Hall, *Sewell*, 7105–21. The three classes of freemen, *Sewell*, 7111–4. Necessity of enrolment of apprentices, *Sewell*, 7115–6. *See also* COMPTROLLER (Vice Chamberlain).

(*f.*) *The London Chamber of Arbitration:*
Founded recently (12 months ago). It is managed by a committee of 12, appointed by the Corporation and the London Chamber of Commerce. Sits at Guildhall, *Kemp*, 4838–9. The work, which is now small, will increase, as many contracts have clauses providing that disputes shall be referred to the Chamber, *Roderick*, 7987–9. References from the High Court, annual cost, *Roderick*, 7992–4. A doubt as to whether other City courts could be abolished in the event of the Chamber being a success, *Roderick*, 7994–6.
The Secondary of the City of London is Registrar of the Chamber, *Roderick*, 7962.

(*g.*) *The Court of the Lord Mayor and Aldermen:*
Is the Court of Quarter Sessions, *Kemp*, 6114–22.

(*h.*) *Application of fees, fines and forfeitures:*
The fees in the City courts are the same as those in county courts, *Kemp*, 5316. Title of the Corporation to the fines, &c., *Roderick*, 7964. Instances of profit from courts, *Gomme*, 4016–9; *Kemp*, 5317–26.

(*i.*) *Licensing Sessions.*
See ALDERMEN, A. (c.) (v.)

(*j.*) CITY QUARTER SESSIONS, *see* COUNTY OF CITY OF LONDON (iii.).

6. CUSTOMS:
Only two now remain of any importance, viz.:—
1. *Foreign Attachment*, a procedure attaching to the Mayor's court; now rarely exercised, as modern conditions of commerce render it difficult to observe the custom in the letter, *Kemp*, 4749; *Hall*, 7373–85. The Mayor's Court has also the obsolescent custom of sequestration, *Kemp*, 4769.
2. *Market Overt*, conferring a good title on all goods ordinarily sold in a shop in the City, *Kemp*, 4545–60; *Hall*, 7374–5.
Privilege of the Recorder to declare the City customs by word of mouth. Procedure in such cases; privilege last exercised in connexion with the custom of Foreign Attachment, *Hall*, 7365–85.
These two customs apply to all, and not merely (like the other customs) to freemen only, *Kemp*, 4694–5.
Effect of amalgamation on, *Fulton*, 7585–91.

CITY OF LONDON LUNATIC ASYLUM (STONE). *See* LUNATIC ASYLUMS.

CITY OF LONDON MILITIA. *See* MILITIA.

CITY OF LONDON PAROCHIAL CHARITIES. *See* CORPORATION, 7; (ROYAL HOSPITALS, SCHOOLS AND CHARITIES).

CITY OF LONDON SCHOOL:
See CORPORATION, 7; (ROYAL HOSPITALS, SCHOOLS, AND CHARITIES) *and under* POLLARD.

CITY OF LONDON UNION:
Contributes towards the City Lunatic Asylum, *Youle*, 7135.
Rating authority for, *Dickinson*, 1228.

CLARE, Mr. HARCOURT EVERARD, Deputy Town Clerk of Liverpool.

Analysis of Evidence.

Election of Town Councillors:

Witness prefers the mode of election laid down by the Municipal Corporations Act, which provides for one-third of the councillors retiring annually, to that of the Local Government Act, which requires the whole Council to retire every third year, as the former (i) enables the administration of the Council to come before the ratepayers every year, and (ii) prevents too sudden changes in the complexion and policy of the council, 10,046–8. At Liverpoolthe elections take place on political lines, and use is made of the political organisations and resources. The political character of the elections would be intensified if the whole Council were elected triennially. Very rarely an election is decided on municipal considerations, 10,049–55. The division of the borough into wards has made no alteration in this respect, 10,056–62.

Aldermen:

Witness thinks that aldermen give stability to the policy of the Corporation. They are elected in the first instance on political considerations by the majority on the Council—aldermen as well as councillors; but once elected, they are free to exercise an independent judgment, 10,063-5. They have as a rule been councillors, but this is not invariable. It is good to be able to elect men from outside the Council, as many very eligible men will not face the turmoil of an election, 10,066–8. Municipal qualifications count for very little in the election of aldermen or councillors; a good man on the wrong side in politics will be rejected. At most his seat will not be contested unless there is a chance of capturing it, 10,069–71; 10,079–91. By means of the aldermen it is possible for a minority of the elected councillors to keep their party in office for a time. It would be better that aldermen should not vote in the election of aldermen, 10,072. Otherwise witness thinks aldermen a valuable institution, they are as a rule the best men on the Corporation. A proportion of one-third aldermen to councillors is better than one-sixth, 10,075–6. After election politics do not play a great part in the ordinary business of the Council, 10,077.

Extension of Boundaries:

The old municipal borough of Liverpool consisted of the old parish. In 1835 it was extended so as to correspond with the Parliamentary borough, the population of which is now 520,000. Another extension, which will add 120,000 more, is now being effected. This is the right principle; to extend from the centre, not to have a number of separate, but adjoining boroughs, unless their interests and centres are really distinct. It would be a good thing if Bootle, which was only created a borough in 1869, were absorbed in Liverpool, but there is no precedent for the absorption of one borough by another. In the extension of 1835 the wishes of the inhabitants of the old borough, who had a very valuable property and privileges, such as the town dues, were not consulted or inquired into, but these advantages were extended to the enlarged borough. The Corporation was reformed, and its boundaries extended, irrespective of the views of the old citizens, 10,092–122.

Working of the Corporation of Liverpool.

Election of Committees:

Besides the special committees, there are 11 standing committees nominated at the last meeting before the 9th of November by the committee of selection, which consists of two members from each of the other committees, and the mayor, 10,123–33. At the first Council meeting, on the 9th of November, after the election of the Lord Mayor and formal business, the proceedings of the committee of selection are brought up for approval by the outgoing mayor, 10,133, 10,150–9. As a rule, members of committees are not changed unless they wish to be. Good men are promoted in turn to the more important committees, 10,134–5. The committees select their own chairmen, as a rule not on political grounds.

CLARE, Mr. HARCOURT EVERARD, Deputy Town Clerk of Liverpool, Evidence of—*cont.*

Committees of the Corporation of Liverpool—*cont.*

A man may be chairman, both of a standing and a special committee, or sub-committee, but not of more than one standing committee, except the Parliamentary committee, 10,136–9. The committee of selection, unlike the other committees, as a rule meets in private, but at none of the committees are matters which it is important to keep private discussed when the press are present, 10,139–49.

Working of Committees:

The Committees first elect their chairman and deputy chairman, and then go through the agenda paper prepared by the town clerk or committee clerk. The heads of departments or other officials concerned are present to give information and advice as required. A memorandum is taken of the decisions arrived at, which are subsequently embodied in formal resolutions and minutes, 10,159–60.

Estimates:

The estimates of expenditure are framed in January, as the financial and calendar year coincide in Liverpool. They are prepared in the first instance by the officer concerned (*e.g.*, engineer or surveyor), considered and passed, with or without alteration, by the committee, and printed, 10,161–3. They then go before the Council, which discusses and passes them, modified or not, and then to the Finance Committee, which collects them all together, and determines the rate required to meet the proposed expenditure. All the rates were consolidated into one under the Act of 1893. Formerly they were made as distinct rates, but were collected together, 10,165–79, 10,954. The Finance Committee has not the knowledge to exercise effective control over the expenditure of the various committees. It can only act as a committee of ways and means, not of supply, but the chairman does exercise a certain amount of economical pressure occasionally, 10,180–6. There is no borough rate in Liverpool, and never has been, 10,187. Under the Town Dues compromise the Corporation got 1,500,000*l.*, which was mainly spent on public buildings, purchase of property, &c. The buildings are all free from debt, 10,188–94, 10,447.

Control of the Council over its Committees:

The proceedings of committees come up before the Council for confirmation every month, 10,195–6, including all accepted tenders over 25*l.*, and appointments to posts with pay over 2*l.* a week, 10,197–202. The items are put one by one to the committee by the chairman, seconded by the deputy chairman. A discussion may follow, and a vote is taken, 10,203–4. A member beaten in committee on a point sometimes raises it in council. This is not discouraged, 10,205–10. Increases of estimates may be moved in the Council, 10,211–5. When an estimate has been sanctioned by the Council the committee may spend up to that amount, subject to the submission to the Council of every accepted tender over 25*l.*, and to adherence to the amount provided under each item. But it is open to any member to raise a discussion on any point on the monthly report, 10,164, 10,216–39. Negotiations still proceeding would not be brought up for discussion. A matter involving such negotiations would be dealt with as a rule by a sub-committee appointed to carry them out, and until they were complete they would not come before the Council, 10,255–81.

Pensions:

A new superannuation scheme was arranged in 1893, giving pensions to all established officials of 25 years' service, and over 60 years of age. The officials themselves contributing 3 per cent. of their salaries to the pension fund, and showing that they have insured their lives privately to the extent of 2 per cent. of their salaries. Previously men were kept on on nominal duties after they had ceased to be efficient, 10,240–52.

Works, Contracts, and Wages:

Questions of rates of wages may be raised in council, 10,211, 10,253–4. Lists of contractors are kept, who are invited to tender for any works or

CLARE, Mr. HARCOURT EVERARD, Deputy Town Clerk of Liverpool, Evidence of—*cont.*

Works, Contracts, and Wages—cont.

articles required, tenders being no longer advertised for. Additions are made to the list from time to time, 10,282–92. As a rule, contractors for ordinary services are required to pay the standard rate of wages, if any is recognised, 10,293–302. A good deal of work, sewering, scavenging, &c. is done by men employed directly by the Corporation, 10,303–9. Most of the Vyrnwy Waterworks are being so constructed, 10,309–10. The Corporation has no factory, and is reluctant to compete with private enterprise, 10,311. They have some artizans' dwellings, built under a sanitary improvement scheme, but not municipal lodging-houses, 10,312–6.

Officers:

The Town Clerk is the head of all the official staff, under him is a deputy and several assistant solicitors. There is also a water engineer, City engineer, medical officer of health, surveyor, treasurer, auditor, &c., each with his own subsidiary staff; they have to attend the committees considering their several works, 10,317. The Town Clerk, his deputy or an assistant, attends all committee meetings, 10,318–9.

Permanent Head of the Staff:

Witness thinks it desirable to have one man at the head of everything, whom all the other officials and chairmen of committees may consult, 10,319–20. He should be a permanent official, not a transitory member of the Corporation, who could not help being subject to political influences, 10,322–3.

Limits of area of Government by one Municipality:

Witness thinks that the government of Liverpool could go on as now even if it were six times its present size; increase of size means increase of details only, not of subjects or principles, 10,324–5. At present there is no need for local district committees at Liverpool, but if the town were much larger there would be no difficulty in carrying on local works by their means, leaving larger matters, such as hospitals, asylums, main sewage, water and gas, and street improvements, to be managed by the central authority for the whole community, thus, by equal rating and assessment, the richer part would help the poorer, 10,326–38, 10,461–73. If the local works were done by separate bodies locally elected, or by committees consisting of the representatives of the locality on the Council with powers either original or delegated, there would be a danger that they would try and get as much as possible of the general rate spent in their locality, they should, therefore, either have to levy a separate local rate for their own works, or consist of members of the Council generally, and not merely those locally connected with the district, 10,339–54. A strong central authority is desirable 10,355–8. In the provinces it has since 1835 been the desire and ambition of old corporations to extend their boundaries, 10,359–64.

The Lord Mayor of Liverpool:

The Lord Mayor is allowed 2,000*l.* a year and 700*l.* (recently added) for carriages. He does not reside at the Mansion House, which only contains the Council Chamber and reception rooms, 10,365–71. His time is so much taken up with charitable and ornamental functions that he attends but little to municipal work, except as regards signature of declarations of origin of goods for export, 10,396–405.

The Court of Passage:

The Court of Passage is nominally presided over by the Lord Mayor as judge, but actually by the assessor, who under the Act of 1893 was made the presiding judge It is a court for the trial of actions, like the county court, but without limit of the amount claimed, and has Admiralty jurisdiction up to 300*l.* The court is popular with solicitors, as the fees are so low that a litigant can afford to spend more on his solicitor. Its efficiency is hampered by antiquated rules of procedure, &c. If they were reformed the court would be largely used. It now involves a loss to the Corporation. The Registrar sits every day, the presiding judge six or eight times a year, 10,372–93.

CLARE, Mr. HARCOURT EVERARD, Deputy Town Clerk of Liverpool, Evidence of—*cont.*

Quarter Sessions.

Liverpool was made a Quarter Sessions borough under the Act of 1835. There was a Recorder before. He is paid 900 guineas a year, 10,394–5.

Police.

The Police force now consists of 1,680 men, and will probably be raised to 1,900 under the extension. This number includes the police specially engaged to watch the docks, who are paid by the Dock Board, but all form one force, and are interchangeable, 10,406–11. The force is under the control of the Chief Constable, who is himself under the Watch Committee, which, however, does not as a rule interfere in matters of discipline, &c., and confines itself to laying down general lines of policy, and direction in cases of emergency. There is a special prosecuting solicitor under the Town Clerk, 10,412–27.

Estates of the Corporation.

The corporate estates lie almost entirely in the old parish; they bring in 75,000*l.* a year. They are mostly let upon 75 year leases, renewable every 30 years on payment of a fine. The fines have to be carried to income, 10,428–37. The rateable value of the city is 3,200,000*l.*, and the total debt (excluding the productive waterworks debt) is 2,770,000*l.*, so the income from property, 110,000*l.*,—including estates, markets, investments and tramway surplus—is more than enough to pay the interest on the debt, 10,437–8. The Corporation owns the tramways, and has let them on a 21 years' lease to a company to work at a rental of 30,000*l.* a year. The Corporation maintains the lines and roadway between, and after paying interest and sinking fund on the tramway debt has a surplus of some 7,000*l.* a year. This is the proper policy, for the municipality to own the tramways, but not work them. Thus it would be able to utilize any occasion of breaking up the roads for other works of repaving, draining, &c., while it would not become large employers of labour, 10,439–46. The rolling stock belongs to the company. The question of renewing the lease will soon come up for consideration, 10,446–8. The Corporation owns the waterworks, but not the gas works, but it should own the gas as well as the water and tramways, 10,449–53. The water supply serves a large area outside Liverpool, including Bootle, and the Corporation undertakes to supply with water from Vyrnwy or Rivington any local authority on the line of pipes at reasonable charges, 10,454–60.

CLARE MARKET, only the name of a place, not really a market, *Kemp*, 4,991.

CLERKENWELL, Parishes of St. James and St. John.

Area of, *Costelloe*, 17,980; *Dickinson*, 8,635.

CLERKENWELL, St. Luke's.

Area, &c. of parish, *Costelloe*, 17,980; *Dickinson*, 8635.

Conference upon equalisation of rates promoted by Vestry, *Tagg*, 10,842–5.

CLERKENWELL IMPROVEMENT:

See Corporation, 4 (Finance,) (8) & (10) (v.)

COAL AND WINE DUES:

Improvements carried out at expense of, in City, *Bridgman*, 1705–11; bridges on Thames and Lee freed from toll out of proceeds of, *Rotton*, 550–61; *Dickinson*, 1203–5.

The coal dues were granted by a Charter of James I. confirming the right of the Corporation to measure and levy dues on all coals brought into Port of London by water. Subsequent charters of William and Mary and George IV. raised the dues to 1*s.* 1*d.* a ton; 9*d.* of this was applied to the Thames Embankment and Metropolitan Improvement Fund, and the remaining 4*d.* to the Holborn Valley Improvement and Farringdon Market Improvement Loans. Kew and other bridges were freed out of dues in 1869–74. The dues were discontinued in 1890, the remainder in 1891 (496*l.*) being transferred to Holborn Valley Improvement Account, *Gomme*, 3965–81.

COAL MARKET. *See* MARKETS.

COAL, SALE OF:
AUTHORITIES FOR SUPERVISING:
In City:
By the Act of 1878 the power was conferred on the Court of the Lord Mayor and Aldermen, thence by the Local Government Act to the Common Council. The Commissioners of Sewers levy the rate, *Harrison*, 942.
Amount expended for this purpose, *Harrison*, 897; *Dickinson*, 951–64.
Outside:
London County Council has absolute power, *Dickinson*, 1445.
The duty might be transferred to the local authorities, *Whale*, 12,342–8; *Harris*, 13,070; *Antrobus*, 12,979–88; comments on this proposal, *Dickinson*, 13,522–4.

COHEN, MR. BENJAMIN LEWIS, M.P., Member of the London County Council.
ANALYSIS OF EVIDENCE.
Witness has represented the City of London on the County Council since 1888, 12,593-6, does not speak for the City in his evidence, 12,597.
Amalgamation.
Witness objects on principle to amalgamation. The guiding principle of a scheme for reorganising the Government of London should be decentralisation.
Central and Local Bodies.
Though there must be a central body, dealing with matters common to the metropolis as a whole, its duties should be reduced to a minimum, as much as possible being entrusted to local bodies, but it is really a question of more or less, 12,598–610. Witness approves of the establishment of, say, 15 separate municipalities as recommended by the Commission of 1854, each with its own mayor, aldermen and councillors. These would attract better men than the vestries do. The aldermen should be elected by the several wards, either for life or for six years, with the dignity of a justice of the peace. West Ham might be included in this arrangement, 12,611–5, 12,884. The councillors should be elected annually, as that tends to excite a greater interest in the elections; witness is not aware that experience of City elections tends in the opposite direction, 12,616–37. The County Council has at present more work than it can do properly, and some of its functions, such as the numbering of streets, closing of roads for repairs, the provision and maintenance of small open spaces, bands, &c., should be transferred to the local authorities, 12,638–9. The local bodies should be able to borrow without the approval of the central body, which as a rule now lends the money from its Consolidated Loan Fund, which it is anxious to employ in this way. They should get permission instead from the Local Government Board, and should borrow more freely in the open market, 12,640–9. It is true that they can now borrow in the open market and only go to the County Council because it is cheaper and more convenient, but the credit of local corporations would probably stand higher than that of the vestries, 12,650–69. The central body should be confined to such duties as main drainage, bridges, fire brigade, large open spaces, metropolitan improvements such as the Thames Embankment, and perhaps gas and water supply, 12,649, 12,727–37. Its duties now tax very heavily the time of the members, who have to serve on several committees, so that the work tends to fall into the hands of members with leisure, who often live far away from the district affected by a measure: yet the absorption of many functions now exercised by the City Corporations as proposed, would add considerably to these duties, 12,669–74. The County Council aspires to legislative functions in accordance with the views of the progressive majority, such as betterment, enfranchisement of leaseholds, taxation of ground rents, &c., and other subjects, which are not really the business of such a body; and it might be hoped that with local corporations politics would disappear, 12,675–98.

COHEN, MR. B. L., M.P., EVIDENCE OF—*cont.*
Constitution of the Local Bodies.
Witness is in favour of having aldermen on the local bodies, to attract men of position, on the central body they would not be needed for this purpose. The local aldermen should be elected directly by the ratepayers for life or six years, and should be justices of the peace as in the City. Only aldermen should be eligible for the office of mayor. In other respects the local bodies should be Municipal Corporations on the lines of the Act of 1835, 12,699–727.
Government of the City.
Some duties, such as the provisions of bridges, parks, metropolitan improvements, &c., might be transferred from the local authority in the present City to the central authority, and this might lead to a re-adjustment of the City's cash, 12,727–37. The City must be dealt with specially on account of the magnitude of the mercantile and pecuniary transactions daily transacted within its limits, 12,737–9. The great merchants and bankers do not take much part in the Government of the City as councillors, though an increasing number, but not as many as in former days, are aldermen, 12,740–53. Witness would reserve to the City large open spaces such as Epping Forest, and the markets in the City area, but not those outside, such as Deptford and Islington, which should be transferred to the central body; the latter are not now remunerative, 12,754–85. Witness would also retain the City Corporation as the Port Sanitary Authority, as it has done the work so well, 12,786–8. The day population of the City increased by 40,000 between 1881 and 1891, and the City is assessed to income-tax at 70,000,000*l.* out of 240,000,000*l.* for the whole country, it is rated at 4,000,000*l.* as against 29,000,000*l.* for the rest of London, 12,789–93. Witness would not disturb the present way of electing the Lord Mayor by the Livery who reside in all parts of Greater London. He must continue to reside at the Mansion House, so as to be on the spot when wanted, 12,793–9. Witness would deprecate the extension of the City Corporation over the whole of London as has been done in other large towns, on account of its size. At the outside a million is the largest population which could be advantageously governed by a single municipality, 12,800–27.
Under any scheme of amalgamation, the City ought not to be deprived of the ordinary privileges of local government, and the management of its own local institutions, as the Guildhall Library, Museum, and School of Music, the City of London, Ward's, and Freemens' Orphan Schools, open spaces in the City, lunatic asylums, &c., 12,827–31. So far as the City is now exempt from rating which falls on the rest of London, it is in respect of matters done by the Corporation for itself, either out of its own funds or by rates raised in the City, as for gas-meter testing, inspection of weights and measures, and proceedings under the Explosives, Artisans' Dwellings, and Reformatories Acts, 12,831–6. The County Council is overburdened with work, and some of these duties in the rest of London might well be transferred to the local authority, especially artisans' dwellings and weights and measures, though uniformity of administration is desirable in the latter case, 12,836–54.
As regards the proposed transfer of the City property to the Central Body, it must be remembered that after providing for all liabilities, the City has a surplus of assets of 4,500,000*l.* or more, besides buildings worth 2,500,000*l.*, 12,855–66. So much of the property controlled by the City is subject to specific trusts, that there would be grave objection to amalgamating into one fund all its sources of income, and its own estates have been derived from sources confined to the City, so that the rest of London has no claim upon them, 12,866–71. Witness objects to the proposal that the City Commissioners of Sewers should be merged in the City local authority under the control of the central body, if it means that the control is to be more direct than that to which the other local bodies are to be subjected, 12,871–84. The sheriffs should be nominated by the Crown from the aldermen who have not already served the office, in preference to being elected by the central body, 12,884.

COHEN, Mr. B. L., Evidence of—*cont.*

The administration of justice has been very efficiently performed by the City, and its officers, the Recorder and Common Serjeant, who now preside over the Mayor's Court when the Central Criminal Court is not sitting, would strongly object to being transferred from that to preside over quarter sessions as proposed, the Assistant Judge (who is more like a Master of the High Court) remaining the sole judge of the Mayor's Court. This objection would be shared by litigants, who value the Mayor's Court highly for its expedition and cheapness. The business of the court is increasing, 12,884.

The business at quarter sessions is very heavy, and the addition of assessment appeals has largely added to it. It is objectionable that appeal cases in which the County Council is concerned should be heard before a judge paid by itself. Antiquity of the offices of Recorder and Common Serjeant, 12,884.

The magisterial work of the Lord Mayor and Aldermen is admirably done, and there is no ground for a change to stipendiaries, which would cost at least 6,000*l.* a year more than at present. It would be almost grotesque to transfer the control of the City police force to the County Council, which does not even control the police in its own area: a special force is essential for the City with its peculiar population and wealth. The City now pays 30,000*l.* a year out of its cash towards the support of the police, and this would be lost by the ratepayers if the proposed change were effected. There is no reason for disturbing the existing arrangements as regards the lieutenancy of the City, or for the abolition of the Irish Society, which has performed its duties in an unexceptionable manner, 12,884.

COMMERCIAL GAS COMPANY. *See* GAS SUPPLY.

COMMISSION, ROYAL, of 1835–7:

(i.) *Recommendations* of, *Fraser*, 13,879–80.

As to a single municipality for London, *Harrison*, 8908–9; *Boulnois*, 12,587–92.

As to the borough court of Southwark, *Kemp*, 4812.

As to the metage on grain, *Kemp*, 4909.

(ii.) *Evidence before*:

As to foreign attachment, *Kemp*, 4749.

(iii.) *Observations* of:

As to professions of aldermen, *Monckton*, 2552.

As to relation of corporations to guilds, *Harrison*, 8913–4.

COMMISSION, ROYAL, of 1854:

Their recommendations were matters for Parliament rather than for the Corporation to deal with, *Monckton*, 2349–51; *Kemp*, 5644–56.

Recommendations of:

As to seven separate municipalities in London, *Fraser*, 13,879; *Cohen*, 12,611–5; *Kemp*, 5714–5.

As to the metage on grain, *Kemp*, 4909.

As to the Irish Society, *Kemp*, 5635.

As to stipendiary magistrates in the City, *Evans*, 2257–61.

As to reducing the number of wards in the City, *Monckton*, 6364–5.

As to elections in Common Hall, *Monckton*, 6467–8.

As to election of sheriffs, *Monckton*, 6475–6.

As to freemen, *Fulton*, 7582–4.

As to the peculiar position of the City of London, *Cohen*, 12,737–9.

As to the election of Lord Mayor, *Cohen*, 12,754.

COMMISSIONERS OF BATHS AND WASHHOUSES. *See* BATHS AND WASHHOUSES.

COMMISSIONERS OF LIEUTENANCY in the City. *See* LORD LIEUTENANT (i.).

COMMISSIONERS OF POLICE (City and Metropolitan). *See* POLICE, COMMISSIONERS OF.

COMMISSIONERS OF PUBLIC LIBRARIES. *See* PUBLIC LIBRARIES, COMMISSIONERS OF.

COMMISSIONERS OF SEWERS. *See* SEWERS, COMMISSIONERS OF.

COMMISSIONERS OF WORKS. *See* POLICE COURTS (2).

COMMON COUNCIL, THE COURT OF:

("The Court of the Lord Mayor, Aldermen, and "Commoners of the City of London, in Common "Council assembled.") The administrative body of the Corporation consists of 26 aldermen and 206 common councillors, representing the different wards, the alderman who is Lord Mayor being ex officio chairman, *Rotton*, 35–47; *Monckton*, 6248–58.

1. Qualification and Election of Candidates:

(*a.*) *Qualification of Electors:*

Males of full age, being either:

(i.) Voters on Parliamentary register for City, including 10*l.* occupiers, householders, lodgers, servants, and liverymen who are freemen; or

(ii.) Persons who, if resident, would have been on Parliamentary register. Number of voters, *Monckton*, 6223. Possibility of women voters, *Monckton*, 6234–40. Contested elections are infrequent, *Monckton*, 6219–27; *Fraser*, 13,830; *Cohen*, 12,621–35.

(*b.*) *Qualifications and mode of Election of Candidates*, *Evans*, 2037–52; *Rotton*, 29, 47, 54; *Monckton*, 6228–9.

Cf. Election, &c. of town councillors in municipal boroughs. *See* Municipal Boroughs, Nottingham; 1 (i.); *and* Liverpool.

2. Organisation and Procedure under Standing Orders:

There are no definite party sides; divisions of the court, *Kemp*, 6248–55.

To form a quorum of the court, the Lord Mayor, two Aldermen, and enough Commoners to make the number up to 40 must be present, *Monckton*, 2801.

See also Kemp, 4650–1; *Monckton*, 6256–7.

There are appointed days for election of officers, verifying returns, and for appeals, *Monckton*, 6259–66.

Procedure similar to that of House of Commons, but officers, when desired, may speak, *Kemp*, 4634–49.

Passing and withdrawal of resolutions, *Monckton*, 6267–76.

Preparation and circulation of agenda papers, *Monckton*, 6284–90. Control exercised by Lord Mayor over, *Evans*. Orders as to votes of supply, &c.; votes by ballot, *Monckton*, 6291–300. Consideration and passing of annual budget, *Monckton*, 6463–6.

Money allowed to committees for expenses, expenditure of, &c., *Monckton*, 6301–21.

The concurrence of the two orders of Aldermen and Common Councilmen is not necessary, *Kemp*, 4652.

Committees:

Size of committees, quorum, question of reduction of size, *Monckton*, 6326–9.

Representation of wards on committees, *Monckton*, 6330–52.

Reduction of number of committees undesirable, *Monckton*, 6555–7.

Cf. Committees of the Nottingham and Liverpool Corporations. *See* Nottingham 3 (ii.); *and* Liverpool, 4.

Police Committee:

The Police Committee consists of the Aldermen, the Deputies, and a Commoner from each ward; unlike Police Committees in ordinary boroughs, which appoint constables, &c., the committee of the Common Council deals merely with questions of pay, clothing, buildings, &c., *Monckton*, 2578–87; it appoints surgeons and receiver, manages buildings, provides accoutrements, pays pensions, and sees to the police rate, *Monckton*, 2587–605.

Wards:

Opposition to a Bill to reduce number of, *Monckton*, 6358–68. Property of wards, *Monckton*, 6369–73.

Comparison between the City of London wards and wards of other cities, *Monckton*, 6374–6.

Representation of wards on Common Council (and Court of Aldermen), *Monckton*, 6377–94.

Power of the court to alter wards, *Monckton*, 6395–9.

COMMON COUNCIL, THE COURT OF—*cont.*

Patronage:

Procedure of the Council in exercising, *Monckton*, 6407–24.

Officers:

(*a.*) *Election of:*

Procedure of Officers and Clerks' Committee and Committee of the Court, *Monckton*, 6425–43.

(*b.*) *Pensions:*

Scheme for recently introduced, *Monckton*, 6444–5.

Powers and duties of the Court:

General powers and duties. *See under* AUTHORITIES, B. *and* CITY, iv.

Wide powers of regulating government of city, *Rotton*, 55.

Power of Corporation to reconstitute itself by acts of Common Council. *See* CITY, 1.

The Court appoints Commissioners of Sewers by nomination under seal, *Rotton*, 81–6.

The Council has no control over the Commission once appointed, except by creating a new Commission, *Bridgman*, 1558–68.

Duties and powers of Lord Mayor in connexion with. *See* LORD MAYOR.

Bridges managed by a committee of Common Council, *Kemp*, 5212–3.

The Council is the local authority in respect to lunacy in the City. Acquisition of that power, *Youle*, 7132, 7139–40.

COMMON HALL (Court of):

The Court of Common Hall consists of freemen of the city who are liverymen of a company. It nominates two aldermen for election as Lord Mayor to Court of Lord Mayor and Aldermen, which selects one, usually the senior, *Rotton*, 17.

There are nearly 9,000 voters in Common Hall, *Sewell*, 7120–1.

The same constituency elects the Sheriffs, the Chamberlain, Bridgemasters, the auditors of Chamberlain's and Bridgemasters' accounts, and the Aleconners, *Kemp*, 4590–5; *Monckton*, 6451–2; *Harrison*, 8919–23. *See also* LORD MAYOR.

The Royal Commission of 1854 recommended that the election of Lord Mayor be transferred from the Court of Common Hall to the Common Council, *Monckton*, 6466–7; *Cohen*, 12,794.

Meetings in for other purposes, *Monckton*, 6453–65.

COMMON LODGING-HOUSES, *Regulation and Inspection of:*

(*a.*) *In City:*

The Commissioners of Sewers have powers under s. 10 of Sewers Act, 1851, *Rotton*, 279.

(*b.*) *Outside City:*

The Commissioner of Metropolitan Police, under control of Secretary of State, is authority to make and enforce regulations and Acts (14 & 15 Vict. c. 28. and 16 & 17 Vict. c. 41), *Rotton*, 280.

Expenses form part of police expenses, *Rotton*, 284.

The duty might be transferred to the local authorities, *Holland*, 11,954–74; *Westacott*, 13,177–80; *Whale*, 12,340–8. Comments on this proposal. (The duty will probably shortly be transferred to the County Council.) *Dickinson*, 13,530–1.

COMMON SERJEANT.

(i.) *Evidence* of. *See* FULTON.

(ii.) *Appointment* of by the Crown. *Fulton*, 7496.

(iii.) *Duties*, &c. of. *See Hall*, 7410–6; *Fulton*, 7498, 7550–3.

COMMONS AND OPEN SPACES:

(1.) COMMONS:

The County Council is local authority as regards commons in metropolis, and may contribute towards expense of any other metropolitan commons; expenses paid by whole metropolis, *Rotton*, 375–82; *Harrison*, 999.

(2.) OPEN SPACES:

(*a.*) *In City:*

The Corporation is the local authority under the Open Spaces Acts, *Rotton*, 379–81.

COMMONS AND OPEN SPACES—*cont.*

(*b.*) *Outside City:*

The County Council is the local authority under the Act of 1863, and it and the vestries and district boards are the local authorities under the Act of 1881, *Rotton*, 385–92; *Dickinson*, 1297, 13,489.

Under the Open Spaces (Private) Act of 1878 the Corporation may acquire and manage as open spaces any lands or commons within 25 miles of the City, *Rotton*, 376–8. Their expenses come from the grain dues, *Gomme*, 4567–72. Proposed transfer of open spaces thus acquired to new Corporation. *Harrison*, 8854–5, 9033; *Cohen*, 12,576–8; *Harris*, 13,130; *Antrobus*, 13,038–40.

Hackney Marshes acquired by County Council under General Powers Act, *Dickinson*, 1297.

See also under ACTS. (*Open Spaces Act* (1877–8).)

COMPANIES, CITY.

1. Privileges of members of. *See* FREEMEN *and* LIVERYMEN.
2. Regulation of trade by. *See* REGULATION OF TRADE (C.)
3. Relations of to Corporation, *Harrison*, 8903–14. *See also* FREEMEN *and* LIVERYMEN.

COMPTROLLER OF THE CITY OF LONDON:

Appointment of, by Common Council; he checks accuracy of accounts, &c., *Payne*, 6687–97.

Duties:

He acts as steward of the City (including Trust) estates; does the conveyancing work of the Corporation; is clerk of the City Lands Committee (the chairman of which is the Chief Commoner) and Bridge House Estates Committee, attends Courts of Common Council and Aldermen and is Vice-Chamberlain, *Brand*, 7773–6, 7777–88, 7792, 7805–6.

Judicial functions:

He acts as Vice-Chamberlain in the absence of the Chamberlain, and has all his powers, *Brand*, 7879–81.

See also CITY OF LONDON, 5 (*e.*).

CONDUIT MEAD ESTATE, belonging to the Corporation. Acquisition and management of. *Kemp*, 5291–206; *Brand*, 7789–80, 7807–15.

CONFERENCES on London Government, recently held by Vestries, &c. *See* VESTRIES, D.

CONTAGIOUS DISEASES (ANIMALS) ACT:

AUTHORITIES UNDER:

(*a.*) *In City*—

1. *Animals other than Foreign:*

The Corporation claims power but does not act; the County Council is the effective authority, *Dickinson*, 1325–34.

2. *Foreign Animals:*

The Corporation, as owning Deptford Market, is the local authority, *Harrison*, 855; *Dickinson*, 1327–31.

(*b.*) *Outside City*—

1. *Animals other than Foreign:*

The County Council is the authority; expenses paid by special rate, to which City contributes, *Dickinson*, 1325–37.

2. *Foreign Animals:*

The Corporation, as owning Deptford Market, has powers, *Harrison*, 855; *Dickinson*, 1327–31.

The duty as regards home animals might be transferred to the local authorities, *Whale*, 12,340–8.

CONTROL exercised by the County Council over the Vestries, &c. *See* COUNTY COUNCIL, 2. (ii.); VESTRIES, &c., C., 4 (*i.*).

CORONERS:

i. Appointment and payment of—

1. *In City*—

Appointed and paid by Corporation, *Dickinson*, 965–7; *Langham*, 7997–8001.

2. *Outside City*—

Except in Westminster, Southwark, Tower, and Savoy (which have franchise coroners), the

CORONERS—*cont.*

coroners are appointed by the County Council, which pays salaries of all, *Dickinson*, 965–81, 1325. They could not well be transferred to the local authorities as the districts do not coincide, *Dickinson*, 13,489.

ii. *Mortuaries* for inquests may be provided by County Council, *Rotton*, 463; and by vestries, though very few are, *Dickinson*, 13,489; *Westacott*, 13,177–80.

CORPORATION OF THE CITY OF LONDON:

(Evidence on behalf of, *see* Brand, Douglas, Evans, Fulton, Hall, Jackson, Knott, Langham, Monckton, Montague, Murray, Payne, Pollard, Roderick, Salmon, Savill, Sewell, White, Wild, and Youle.)

1. Constitution and Powers of Reconstitution.
2. Duties and Powers.
3. Courts of Justice. (*See* City of London, 5.)
4. Finance.
5. Offices.
6. Property.
7. The Royal Hospitals, Schools, and Charities.
8. Officers.

1. Constitution and Powers of Reconstitution.

(*a.*) *Constitution:*

The Corporation is of extreme antiquity and the City is a county of itself, with the independence of a county, *Monckton*, 2302–5.

The Corporation has no original charter defining its constitution, but several overlying charters confirming its privileges, &c., *Kemp*, 4534–5. It might be dissolved by a failure of liverymen, *Kemp*, 4536–43.

(*b.*) *Powers of Reconstitution:*

There are charters defining and enlarging the powers of the Corporation; under a charter of 15 Edward III., the Corporation has power to reform its own constitution, *Monckton*, 2306–12; *Kemp*, 4561–3. Limitations of this power and its exercise, *Kemp*, 4574–84. There has been no judicial interpretation of this provision, *Monckton*, 2313–20; *Kemp*, 4564–73.

No act of Common Council has been taken to a court of common law to settle whether it is "agreeable to good faith and reason for the "common advantage of the citizens and "other liege subjects sojourning with them, "and useful to king and people," as provided in the charter, *Monckton*, 2321–2. The Corporation claims and exercises unlimited power to make acts of Common Council, *Monckton*, 2323–6. Some of the recent changes in the City's constitution have been effected by acts of Common Council, others by Acts of Parliament, *Monckton*, 2327. The change in the election of aldermen was carried out by statute, and though the Common Council claim that power they do not exercise it in electoral matters, *Monckton*, 2328–36, 2347. It has been the custom of the Corporation to alter its numbers and areas of representation, *Monckton*, 2337–43. The Common Council could make the office of alderman an annual instead of a life office, *Monckton*, 2345–6. Most of the recommendations of the Royal Commission of 1854 were matters for Parliament, not the Corporation, to deal with, *Monckton*, 2349–51.

The last change in the Corporation's constitution effected by itself (alteration of wards), happened early in the century, *Monckton*, 2352–6.

Various internal alterations have been effected by acts of Common Council without Parliamentary ratification, *Monckton*, 2357–63.

The Corporation still has power to alter the conditions of tenure of the aldermanic gown, *Monckton*, 2364–72.

Instance of Corporation retaining its original power even though Parliament had interfered, *Monckton*, 2373.

The right of the City to approach the Sovereign could hardly be preserved under amalgamation, *Fulton*, 7592–605.

Proposed reconstitution and powers of the present City. *See* Amalgamation.

CORPORATION OF THE CITY OF LONDON—*cont.*

1. Constitution, &c.—*cont.*

(*c.*) *Customs of the Corporation*, the Recorder testifies as to, *Hall*, 7365–72. *See also* Recorder (*b.*)

Effect of Amalgamation on the Customs of the City. See Amalgamation.

(*d.*) *Epping Forest Committee*, representation of Corporation on. *See* Epping Forest Committee.

2. Duties and Powers.

(*a.*) *Generally.*

(*b.*) *Acquisition of land.*

(*c.*) *Rating.*

(*d.*) *Borrowing.*

(*a.*) *General Duties and Powers:*

(i.) The Common Council is the authority in the City for—

Bridges, viz., London Bridge, Blackfriars, Southwark, and New Tower Bridges, *Rotton*, 529–33; *Kemp*, 5207–18, 5983; *Dickinson*, 895–7.

Bridge House estates originally given and acquired for maintenance of London Bridge, but used also as security for loans for other Corporation bridges, *Rotton*, 534–5, 562–74; *Kemp*, 5207–18, 5983; *Gomme*, 3933, 3935–64; *Brand*, 7791–869.

Commons acquired under the private Act of 1878 within 25 miles of City, Burnham Beeches and Coulsdon Commons thus acquired, *Rotton*, 376–81.

Contagious Diseases (Animals) Act. Administration of in respect of foreign animals, *Dickinson*, 1325–34; *Harrison*, 855; *Kemp*, 5035.

Coroners. Appointment and payment of, *Dickinson*, 965–7.

Explosives, *Rotton*, 364–71; *Dickinson*, 13,506–8.

Gas Supply.—Examiners appointed by Common Council, *Rotton*, 576.

The Corporation acting through County Purposes Committee (formerly Gas and Water Committee) has general control over gas [and water], *Bridgman*, 1906–8.

Highways other than Main Roads.—Regulation of locomotive traffic on, *Rotton*, 299.

Industrial Schools, *Dickinson*, 1315–6.

Infant Life Protection, *Dickinson*, 1430, 13,524.

Libraries, Public. See *Public Libraries.*

Lunatic Asylums and non-settled lunatics in City, *Rotton*, 445–53; *Harrison*, 868–73, 916–29.

Markets.—The Corporation has by charter monopoly of establishing markets within seven miles of City, *Rotton*, 434–35; *Harrison*, 855; *Dickinson*, 13,534–7, but several private markets have been established with its consent under charters or Acts, *Rotton*, 435–41.

Open Spaces, *Rotton*, 379–81.

Petroleum, *Rotton*, 364–71; *Dickinson*, 13,508–9.

Police Courts, *Rotton*, 112–8.

Police Force (City).—The Common Council appoints the Commissioner of City Police with approval of Secretary of State, *Rotton*, 92; *Monckton*, 2587–605.

Public Libraries (Guildhall Library).—No rates levied, *Rotton*, 418–23.

Sanitary administration and control of Customs Port of London, *Rotton*, 199–203.

Shop Hours Act, Enforcement of, *Dickinson*, 1447, 13,524.

Street Improvements under London City Improvements Act (1847) and other private Acts, *Rotton*, 490.

Tramways on highways other than main roads. The Common Council has hitherto successfully opposed all schemes for making tramways in the City, *Rotton*, 405.

Water supply.—Constancy of, *Rotton*, 316–25. The Corporation acting through County Purposes Committee (formerly Gas and Water Committee) has general

CORPORATION OF THE CITY OF LONDON—*cont.*

2. (*a.*) General Duties and Powers—*cont.*

control over City [gas and] water supply, *Bridgman*, 1906–8.

Weights and Measures, *Harrison*, 897, 942; *Dickinson*, 951–64, 13,514–24.

(ii.) The Common Council appoints the Commissioners of Sewers by nomination under seal, not necessarily from its own body, *Rotton*, 81–8.

(iii.) Lodging-houses for working classes built by Common Council under Act of 1890.

(*b.*) *Acquisition of Land:*

Power of Corporation to hold and acquire land unlimited under charter. It actually always applies for licences in mortmain, *Rotton*, 614–20; *Brand*, 7821–34.

(*c.*) *Rating:*

Police rate to provide for the three-fourths of expenses not defrayed out of Corporation funds levied by direction of Common Council with consolidated rate, *Rotton*, 696–704.

Rate limited to 8*d.*, but not so much levied; mode of assessment and collection, *Rotton*, 703–4; *Monckton*, 2775–94.

There would be no difficulty in levying a county rate in the City, if required, to meet expenses incurred in administration of justice, &c., session house, and public libraries, &c., *Payne*, 7048–52.

Matters (which the City does for itself) in respect of which it is exempt from the rate common to the rest of London, *Cohen*, 12,831–6.

(*d.*) *Borrowing:*

The Corporation has unlimited and uncontrolled powers of borrowing, but most of its present debt has been incurred under special Acts, *Rotton*, 733.

3. Courts of Justice. *See* City of London, 5.

4. Finance.

(*a.*) *Accounts, &c.*

How the accounts are kept, *Payne*, 6655–9. The mode of keeping them has been quoted with approval by a House of Commons Committee, *Brand*, 7882–4. Annual Budget of Common Council, *Payne*, 6669–71. Publication and audit of accounts, *Payne*, 6678–85, 6700–6. Election of auditors, *Kemp*, 4590–5. Securities, annual examination and custody of, *Payne*, 6686, 6708–10. Appointment of Comptroller who annually checks accounts; his duties; the mode of keeping the accounts has been approved of by a Parliamentary Committee, *Brand*, 7882–4; *Payne*, 6687–97. Regulation of expenditure, *Payne*, 6698–9. Distinction of accounts; they are not unnecessarily complex, *Payne*, 6802–9. There is no published account of the aggregate assets and liabilities of the Corporation, but one could easily be prepared. The Corporation could pay its creditors 40*s.* in the £, *Payne*, 6932–75, 7060–70; *Brand*, 7892–9. The financial position of the Corporation was never so strong as now, *Brand*, 7885–91; *Cohen*, 12,855–66. Corporation bonds, *Gomme*, 4394.

Cash Account for 10 years, distinguishing capital from revenues, receipts, and expenditure, is annually issued by the Corporation, *Payne*, 7012–22.

(*b.*) *Revenue and expenditure of the four years* 1889–91.

(1.) *Plan of Analysis:*

From the gross revenues, from real and funded property, dues and duties, are deducted the charges of collection and management, &c., *Gomme*, 3535, 3545–55. Charges on net revenues and investments and debit and credit balances carried forward to next year, *Gomme*, 3536–44. The net revenue is increased by net receipts from remunerative undertakings, and allowance is made for investments, debit, and credit balances carried forward to next year, *Gomme*, 3556–67. After allowing for receipts in aid of expenditure and investments, debit and credit balances carried forward to next year to reserve fund, the balances of revenue are applied to permanent works.

CORPORATION OF THE CITY OF LONDON—*cont.*

4. (*b.*) 1. *Analysis of Accounts for the years* 1889–91—*cont.*

Gomme, 3567–71, and, making the same allowances, the balances of revenue are applied to Justice and Police, *Gomme*, 3571–3. The balances are then, with various allowances, applied to administrative purposes, mayoralty, civic, and optional purposes, *Gomme*, 3574–7.

(2.)—(*a.*) *Results of the four years transactions on balances*, *Gomme*, 3592–646.

(*b.*) Net amounts falling upon the general estates and funds of the Corporation during the four years, *Gomme*, 3634–46. Corrections by Mr. Payne, *Payne*, 6712–65, 7022. Comparison of City and County Council expenditure in 1892, *Payne*, 6809–29.

(3.) *Special items of expenditure and account:*

(*a.*) *Investments* out of General Funds, Interest, Grain Duty, Gresham Estates, Bridge House Estates, Holborn Valley Improvement, and City of London Courts, *Gomme*, 3647–84.

(*b.*) *Exceptional expenditure*, purchase of land and works, totals and particulars, of *Gomme*, 3685–91. Charges on the general estates in respect of debt for improvements and investments, totals of these charges, *Gomme*, 3691–5, *Payne*, 6791–801. Provision to meet future exceptional expenditure, *Payne*, 6984–96.

(*c.*) *Optional Expenditure*, erection of Billingsgate buildings, equipment of volunteers, increasing police pay, gas and water inquiries, repayment of Holborn Valley Debt, &c., *Payne*, 6712–25; totals, *Payne*, 6766–71; corrections of Mr. Gomme's evidence (3574–7), *Payne*, 6712–25.

(4.) *Comparison of the three deficit years*, 1890, 1891, and 1892, *with the surplus year*, *Gomme*, 3696–712.

(5.) *Estates and funds at the disposal of the Corporation (including receipts in aid of expenditure) and expenditure thereout in the four years*, by order of—

(i.) The Court of Common Council;

(ii.) The Court of Aldermen, *Gomme*, 3713–54.

(6.) *Interest on cash balances and securities*, derived from—

(i.) Interest on securities invested by and belonging to the Corporation.

(ii.) Profits of employment of interest of floating balances in the Chamber. (*See also Payne*, 6984–96.)

The Chamberlain acts as treasurer to the Corporation accounts, City Trust accounts, those of the Police Commissioners, and the City Commissioners of Sewers, and makes no charge for keeping these accounts, *Gomme*, 3755–75.

(7.) *Markets:*

Receipts and expenditure in the four years on markets not being trust properties, under the management of the Corporation; balance available for loans; expenditure on loans; balance applied to general purposes of Corporation; the balance goes into the general estates and revenues of the Corporation, *Gomme*, 3556–67, 3787–810; *Payne*, 6985; balance of expenditure over receipts since 1854, *Payne*, 6854; outstanding debt against the markets, *Gomme*, 3787–810.

Billingsgate Market:

Reduction of tolls in 1889; present surplus revenue; security for the market loans, *Knott*, 8059–71.

(8.) *The Reserve Fund:*

Origin of, *Gomme*, 3810–51, 3901–9. There was a gradual decrease in the fund from 1869 to 1890. In the four years, 1889–92, it has served the purpose of a transfer account between the Holborn Valley Improvement account and the City general cash accounts, *Gomme*, 3810–2; now nearly exhausted, mainly by contribution towards the cost of Clerkenwell improvement, which was commenced by the Commissioners unconnected with Corporation, and finished by the Corporation; cost, *Payne*, 6997–7006.

CORPORATION OF THE CITY OF LONDON—*cont.*

4. (9.) *Charges for Debt on General Estates:*

(*a.*) Loans charged directly on Corporation estates, in all 240,000*l.*; provisions for repayment of various loans, *Gomme*, 3852–96; *Payne*, 6922–8, 6929–31, 6985, 7040–4.

(*b.*) Loans charged primarily upon market rents and tolls and only ultimately upon the Corporate estates; amounts outstanding in 1892. Total debts on markets 2,585,000*l.* Total annual amount available for sinking fund, which would leave in 1907, when the last of the existing bonds fall due, a debt of 1,805,992*l.* still outstanding, assuming that the unpaid principal were reborrowed at 3 per cent., *Gomme*, 3852–96.

If the whole free income of the markets were then applied to the charge for debt, it would not be all extinguished till 1927, assuming that the present rents are upheld and that there is no extraordinary expenditure on markets; average expenditure for last four years, *Gomme*, 3896–900.

(10.) *Trust and Statutory Funds:*

Where the property is devoted exclusively to the object of the trust,—

(i.) *Gresham Estates:*
Under the will of Sir Thomas Gresham the estates were equally divided between the Mercers' Company and the Corporation; the latter's moiety supports the Royal Exchange and Gresham College. Revenues and expenditure, *Gomme*, 3913–32, 3934.

(ii.) *Bridge House Estates:*
Derived from Crown grants and private gifts and from savings of revenue. The fund is administered as a trust for Blackfriars, Southwark and the Tower Bridges under a recent Act. Receipts and expenditure, *Gomme*, 3933, 3935–64; application of rental of the estates, *Brand*, 7835–45, 7870–1, 7846–53, 7872–9.

(iii.) *Coal Duty:*
A charter of James I. confirmed the ancient custom of the Corporation's right to measure and charge fees on all coal brought into the port of London by water. Further confirmed by William and Mary and George IV., which raised the dues to 1*s.* 1*d.* a ton. Under these and other Acts, 9*d.* of this was applied to Thames Embankment and Metropolis Improvement Fund, the remainder applied first to the Holborn Valley Improvement and Farringdon Market Improvement Loans. Bridges freed out of the dues. Dues discontinued in 1890; balance carried to Holborn Valley Improvement Fund, *Gomme*, 3965–81.

(iv.) *The Coal Market:*
Established in the Coal Exchange under 43 Geo. 3. c. cxxxiv. giving Corporation power to levy duty of ½*d.* a ton; raised to 1*d.* to defray expenses. This duty ceased under 1 & 2 Vict. c. ci.; surplus revenue had to be invested apart from General Corporation Funds. Revenue and expenditure of the four years, *Gomme*, 3982–94.

(v.) *The Clerkenwell Improvement:*
Now finished; carried out under 13 & 14 Vict. c. 103. and 14 & 15 Vict. c. 120. Revenue from surplus land. Balance carried to Holborn Valley Improvement Fund, *Gomme*, 3995–4015. Artizans' dwellings built by Corporation in connexion with, *Murray*, 7946–9.

See also under 4 (viii.).

(vi.) *City of London Court:*
Application of surplus proceeds, *Gomme*, 4016–9; *Payne*, 6985–96.

(vii.) *Blackfriars Bridge Estate:*
Total balance from surplus land in 1892 unapplied, *Gomme*, 4020–31.

CORPORATION OF THE CITY OF LONDON—*cont.*

4. (10.) *Trust and Statutory Funds—cont.*

(viii.) *Holborn Valley Improvement:*
Carried out by Corporation under various Acts; defrayed out of coal dues as long as they existed; outstanding debt is defrayed from Corporation's general estates, *Gomme*, 4032–7. Provision for repayment of loans, *Payne*, 6927–9. Artizans' dwellings built by Corporation in connexion with, *Murray*, 7946–9.

(ix.) *Deptford Cattle Market:*
Cost of erection; application of surplus proceeds; surplus balances in the four years, *Gomme*, 4038–56.

(x.) *The Grain Duty:*
Is three-fourths of a penny per cwt. for metage; proceeds applied to preservation and maintenance of open spaces. Revenue and expenditure in the four years, *Gomme*, 4057–72. Application of interest on sinking fund, *Payne*, 6984–96. In consequence of the diminution of proceeds in 1884, the Corporation appropriated as a sinking fund (for the same purpose) the commutation of fines on renewal of leases on the Conduit Mead estates, *Payne*, 6929–31, 6985, 7040–4.

(xi.) *Parks and Open Spaces:*
Origin of revenue; does not meet expenditure; balance from general account, *Gomme*, 4073–9.
Summary, Gomme, 4080–5.

(11.) *Charges for Debt on Trust and Statutory Funds:*
Outstanding debts, net debt falling on corporate estates, *Gomme*, 4085–100.

(12.) *Estimate of total Debt falling on the General Estates of the Corporation:*
Total debt; prospect of repayment in 30 or 50 years, *Gomme*, 4101–2.
Repayment of debt or capital expenditure in the four years, 1889–92, *Payne*, 7022–31.

(13.) *Classification of Annual Expenditure, Gomme*, 4139–200.

(14.) *Differentiation of City and County Expenditure of the Corporation:*
Ordinary expenses upon city and county purposes; services concurrent and of similar natures; services whose range is beyond the influence of City. Totals, *Gomme*, 4257–64. Expenditure out of Corporate revenues on metropolitan improvements remunerative and unremunerative, and on the entertainment of Royalty, &c. since 1850, *Payne*, 7036–9, 7045–7.

(15.) *Estimated financial effect of Amalgamation:*
(*a.*) Partial amalgamation, transferring county services only would leave Corporation with a yearly surplus of 50,000*l.* and the county a deficit of 100,000*l.*, *Gomme*, 4264–90.

(*b.*) *Complete unification:*
Expenditure and revenues to be transferred to County Council and new rates to defray deficit, *Gomme*, 4291–363.
Trust funds of the Corporation could not be dealt with, *Payne*, 6772–83. There is no necessity for new rates, *Payne*, 6830–926, 7006–10.

(16.) *Expenditure on behalf of Freemen of City, Gomme*, 4363–8.

(17.) *Bequests payable out of the Corporate funds, Gomme*, 3547–55, 4369–87.

(18.) *The Loan Account:*
Amounts borrowed for various purposes and amounts repaid. Amount outstanding; average rate of interest, *Gomme*, 4388–408.
Provisions made for repayment of loans, *Payne*, 6922–8, 6929–31, 6985, 7040–4.

5. Offices of the Corporation.

Council chamber good but offices cramped; expense of providing new offices, *Monckton*, 6538–42.

6. PROPERTY OF THE CORPORATION.

Application of the City properties is undefined, unlike that of the reformed municipalities, *Kemp*, 5188–90.

Nearly all the property let on repairing leases for 80 or 90 years; premiums on public-houses only, they are let for 21 years, *Brand*, 7796–801. Practice as to renewing leases, *Brand*, 7802, 7807–15; *Murray*, 7911–3. The Corporation never purchases land without a licence in mortmain, and cannot sell its own or Bridge House estates. All money received for property is paid into Chancery and re-invested in funds, *Botton*, 614–22; *Brand*, 7821–34. The Corporation always re-invests in real estates any money derived from the sale of property, but it can sell or borrow without limit, *Payne*, 6916–21, 6976–84.

No difficulty in letting property, *Murray*, 7941–5. The value of the property could be easily ascertained, *Murray*, 7954–6.

(*a.*) *The City Estates:*

Lie mainly in City, about Broad Street, and in Conduit and Bond Streets, originally mostly sites of moorland, walls and gates. Acquisition of the "Conduit Mead" estate, *Kemp*, 5191–6; *Brand*, 7789–90. Application of fines on renewal of leases on this estate. *See above* 4 (x) (*Grain duty*). Perpetual lease of the estate, *Kemp*, 5197–206. The other City property is generally let by tender to highest bidder, *Kemp*, 5202–6.

(*b.*) *Bridge House Estates:*

Mostly building land, lie mainly outside City, in Southwark, Lambeth, Lewisham, Esher, Ewell, and Essex, *Brand*, 7791, 7816, 7817.

Held in trust by Corporation for maintenance of various bridges; how acquired, *Kemp*, 5207–18. The bridges are managed by a Common Council committee, *Kemp*, 5212–3, 5903. The southern end of all the bridges and the northern end of the Tower Bridge are without the City boundaries, *Brand*, 7154–9.

Provisions for repayment of loans, *Payne*, 6922–8. *See also* BRIDGE HOUSE ESTATES *and* BRIDGES, &c.

(*c.*) *Blackfriars Bridge Estate:*

Consists of the surplus revenue (800*l.* a year) from surplus lands after construction of the bridges; nothing is payable out of the estate, which accumulates from year to year. Blackfriars Bridge is maintained out of revenue of Bridge House estates, *Kemp*, 5219–23.

The Corporation controls the river to the abutments of the bridges, the bed belongs to the Thames Conservancy, and the foreshore above the City to the Crown, *Brand*, 7860–9.

(*d.*) *Gresham Estates:*

Held by Corporation under will of Sir Thomas Gresham; property divided between Mercers' Company and the Corporation; establishment of lectures, pensions, and almshouses from the estate, *Kemp*, 5223–5. A license in mortmain to hold the estate perpetually was obtained in 1614, *Kemp*, 5226. History of Gresham College in connexion with the Royal Society, *Kemp*, 5227–48. Destruction by fire of the Exchange; Gresham College used as a public office during its rebuilding, consequent suspension of lectures, *Kemp*, 5248–53. Sale of Gresham College in 1767 to Government to be used as an excise office, *Kemp*, 5262. Continuance of lectures and alterations in regulations of the college, and erection of an almshouse, *Kemp*, 5262–4. The Exchange again burnt down in 1838; lectures removed to City of London School, *Kemp*, 5265–6. Rebuilding of Gresham College and Royal Exchange, *Kemp*, 5274–95. Financial condition of the estate, *Kemp*, 5274–5313. Provisions for repayment of loans, *Payne*, 6922–8. A Royal Commission is now inquiring into the affairs of the college, *Kemp*, 5314–5.

See also 4 (FINANCE) (10) (i).

(*e.*) *Administration of Justice:*

The City courts exist by charter or prescription, though their procedure is now regulated by statute. Application of net fees, fines and forfeitures. The fees in the City of London Court are the same as those in county courts,

6. PROPERTY—*cont.*

(*e.*) *Administration of Justice*—cont.

Kemp, 5316. Instances of profit from costs, *Kemp*, 5317–26. *See also* CITY OF LONDON, 5.

(*f.*) *Market Tolls:*

Applied to payment of interest and repayment of loans raised for various markets under their governing acts. The loans are charged upon the general estates of the Corporation, *Kemp*, 5327. Provisions for repayment of loans on Cattle Market, *Payne*, 6922–8. No obligation on Corporation to reduce the tolls when the loans have been paid off, *Kemp*, 5334–40. *See also* 5405–9.

(*g.*) *Grain Duty:*

Duty imposed by an Act of 1872 (35& 36 Vict. c. c.), *Kemp*, 5341–51. Does not apply to flour, *Kemp*, 5352–5. Application of the dues, *Kemp*, 5356. Extension of borrowing powers, powers of land acquisition for open spaces, *Kemp*, 5356–73. Land so acquired, *Kemp*, 5373–81.

See also CORPORATION, 4 (10) (x.).

(*h.*) *Fruit Metage and Voluntary Grain Metage:*

Compulsory under charter but now exercised voluntarily, *Kemp*, 5382–7.

(*i.*) *Fees and Fines on admission to Freedom:*

Revenues applied to Freemen's Orphan School, under 13 & 14 Vict. c. x., *Kemp*, 5387.

For *Mode of Admission, see* FREEMEN *and* LIVERYMEN.

(*j.*) *The Guildhall Library, Museum, and Art Gallery* are free and open to public; maintained out of general revenues of Corporation; managed by Library Committee, *Kemp*, 5387–96.

(*k.*) *Ecclesiastical Patronage:*

Various advowsons of which the Corporation are proprietors, *Kemp*, 5397–5404; *Monckton*, 6407–24.

(*l.*) *Surplus lands:*

The Corporation has land on the Victoria Embankment unlet worth 12,000*l.* a year, *Payne*. 7031, 7000.

Sources of Revenue lost by the Corporation since 1856.

Street Tolls, Coal Duty, Corn Metage, Brokers' Rents, *Payne*, 7032–6.

7. THE ROYAL HOSPITALS, SCHOOLS, AND CHARITIES. *Under management of, or in connexion with, the Corporation.*

(*a.*) *The Royal Hospitals:*

Henry VIII. granted the Corporation, on the suppression of the monasteries, the Hospitals of St. Bartholomew, Christ Church, and Bethlem, endowing the first with 500 marks a year. The purchase of St. Thomas' Hospital was confirmed by Edward VI., who granted the King's Palace of Bridewell, *Kemp*, 5410.

Purposes to which the hospitals were devoted; the governors are incorporated and have a common seal, *Kemp*, 5410, 5411; *Harrison*, 8953–8. Christ's Hospital now governed under a scheme of the Charity Commissioners of 1890, six aldermen having seats on the governing council, *Monckton*, 2645–7; *Kemp*, 5411. Government of the other hospitals, *Kemp*, 5411–5. Origin of Bethlem, *Kemp*, 5417–22. Former rights of nomination by Lord Mayor and Aldermen at Christ's Hospital; the latter only preserved under scheme of Charity Commissioners, *Kemp*, 5423–7.

(*b.*) *The City of London School:*

Built on site of Honey Lane Market under 4 & 5 Will. IV. c. xxxv., removed to Victoria Embankment under 42 & 43 Vict. c. lxiii., *Kemp*, 5428–51.

Cost of erection, endowment and appointment of masters, *Kemp*, 5434–66.

Election of Head-master, *Pollard*, 7211–7. Fees and reasons for not increasing them, *Pollard*, 7218–25, 7235. The salaries of the staff are small in consequence of the recent appointment of most of the masters, *Pollard*, 7226–33. Constitution of the Corporation committee managing the school, *Pollard*, 7236–8. The school costs the Corporation 5,000*l.* a year in excess of fees; expenditure on laboratories, &c.; no grant from the County Council, *Pollard*, 7238, 7239 7244–50. The school

CORPORATION OF THE CITY OF LONDON—*cont.*

7. (*b.*) *The City of London School*—cont.

is divided into the classical and modern side, the numbers on the latter predominating. Most pupils go into business, but about six annually to the Universities, *Pollard*, 7238–42, 7252–9. Scholarships from the Board Schools, &c., *Pollard*, 7241–3; *Gomme*, 4382–7.

(*c.*) *The Guildhall School of Music:*

This is a voluntary institution; net cost to Corporation after deducting fees is about 2,700*l.* a year. Endowment from Mitchell's City of London Charity, *Kemp*, 5467–73.

(*d.*) *The Freemen's Orphan School:*

Established in 1850 under 13 & 14 Vict. c. x. The Corporation are under obligation to maintain it for perpetuity. Application of fines, &c. on admission to freedom to the school's maintenance, *Kemp*, 5474–5504; *Montague*, 7266–72.

Qualifications for admission and number of children at the school, *Montague*, 7260–5, 7273–6. Number of applications and average age of admission and leaving; subsequent employment of pupils, *Montague*, 7277–81, 7284–6. Several are sent in for the University Local Examinations and some go through other schools to the Universities. Contemplated scholarship to the City of London School, *Montague*, 7282–9. Staff and salaries, *Montague*, 7289–94. Expenditure by the Corporation on technical education, to which the County Council gives nothing, *Montague*, 7296, 7297.

(*e.*) *Almshouses:*

(i.) *The London Almshouses:*
Established in 1832 to commemorate the passing of the Reform Bill. Their acquisition by the Corporation. Eligible inmates, *Kemp*, 5506–9. Management, *Kemp*, 5509–23.

(ii.) *Rogers' Almshouses, Brixton:*
Constituted under the will of William Rogers, *Kemp*, 5524–8.

(iii.) *Gresham Almshouses:*
Established under will of Sir Thomas Gresham; management of, *Kemp*, 5534–9.

(iv.) *Wilson's Loan Charity:*
Established under Samuel Wilson's will, for loans to young City tradesmen. The charity was regulated by a scheme in 1868, *Kemp*, 5540–4.

(v.) *Ward's City of London School for Girls:*
Established under will of William Ward, *Kemp*, 5545–55.

(vi.) *Emanuel Hospital:*
Founded in 1594 by Lady Anne Dacre, government of, *Kemp*, 5556–9; *Monckton*, 2817; *Harrison*, 8958.

(vii.) *The United Westminster Schools:*
Originated in Lady Anne Dacre's bequest. Regulation and government of, *Kemp*, 5560; *Harrison*, 8957.

(viii.) *The Mitchell City of London Charity:*
One-third of the funds are applicable to relief of poor of the City, and two-thirds to the education of children of poor parents connected with the City. Appointment of trustees, *Kemp*, 5560–4. Scholarship at Guildhall School of Music endowed by trustees of, *Kemp*, 5467–73.

(ix.) *Morden College:*
Founded for in and out pensioners under Sir John Morden's will, regulated by a scheme of 1871; governing body, *Kemp*, 5564–9; *Monckton*, 2804–14; *Harrison*, 8958.

(x.) *Sir John Soane's Museum:*
Governing body, *Kemp*, 5569; *Monckton*, 2815–6.

(xi.) *Aske's Charity, Hoxton:*
Is a school belonging to the Haberdashers' Company. Appointment of manager, *Kemp*, 5569.

(xii.) *City of London Parochial Charities:*
Governing body created by scheme of Charity Commissioners (1890). Management of income, bequests, &c., *Kemp*, 5569.

CORPORATION OF THE CITY OF LONDON—*cont.*

8. Officers of the Corporation.

Duties and powers of—
The Chamberlain, Comptroller, Coroner, Commissioner of Police, Hallkeeper, Recorder, Remembrancer, Common Serjeant, Secondary, Surveyor. *See under their respective headings.*

Manner of selection and election of officers, pension scheme, *Monckton*, 6425–50.

Cf. Functions, &c. of officers of municipal corporations generally. *See* Municipal Boroughs, Government of; Liverpool *and* Nottingham, 3 (iii.)

COSTELLOE, Mr. Benjamin Francis Conn, a Member of the London County Council.

Analysis of Evidence.

Witness is Vice-Chairman of the Special Committee, and has been Chairman of the Local Government Committee, of the London County Council, 13,945–6

Present and possible local areas in London.—In dealing with the areas existing local centres of activity should be preserved as far as possible. The metropolis has not expanded from a single centre, but from several once independent villages, each of which still retains to some extent its separate local life; for instance, Chelsea has a very vigorous local life, extending even to the portion, detached since the Conquest, which lies some miles away from the main part of the parish, 13,947–9. A scheme for re-adjusting areas, so as to make about 20 in all, was considered by a special committee some years ago; it included the union of Chelsea with Kensington, a proposal which aroused intense local feeling, 13,949–54. On the whole, the unions would form the best areas for local government, but they would need much re-adjustment to fit in with old parish boundaries, &c. 13,969–74.

The existing local areas may be classified as follows:—

A. One parish forming (*a*) one poor law union, (*b*) one local government area, (*c*) one parliamentary borough and (*d*) one county division.
1. Chelsea, St. Luke's, Population (1891), 96,000.
2. Hampstead, St. John's, 68,000.
3. Bethnal Green, St. Matthew's, 129,000 (divided for (*c*) and (*d*) into two divisions).
4. St. Marylebone, 142,000, (divided for (*c*) and (*d*) into two divisions.)
5. Kensington, St. Mary Abbott's, 166,000 (divided for (*c*) and (*d*) into two divisions).
6. Paddington, 118,000 (divided for (*c*) and (*d*) into two divisions).
7. Islington, St. Mary's, 369,000 (divided for (*c*) and (*d*) into four divisions).
8. Shoreditch, St. Leonard's, 124,000 (divided for (*c*) and (*d*) into two divisions, but the boundaries should be adjusted as a small part is under the City Commissioners of Sewers.
9. St. Pancras, 234,000 (divided for (*c*) and (*d*) into four divisions).
10. Lambeth, St. Mary's 275,000 (divided for (*c*) and (*d*) into two divisions).
11. Camberwell, St. Giles', 235,000 (divided for (*c*) and (*d*) into two divisions except that for County Council and Parliamentary purposes Penge is added and the area thus formed is divided into three divisions, (North Camberwell, Dulwich and Peckham)), 13,956–562.
12. Mile End Old Town, 108,000 (divided for (*c*) and (*d*) into two divisions (Mile End Old Town and Stepney)), 13,977.
13. St. George's in the East, 46,000 (combined with Wapping for county and Parliamentary purposes), 13,977.

B. One poor law union comprising two or more parishes:—
i. Hackney Union 230,000, comprising Hackney, St. John's, 199,000, and Stoke Newington, 31,000, formerly united for local government purposes under one district board, but recently divided under separate vestries, as the district board, like most other district boards, did not work satisfactorily. Stoke Newington should be united with South Hornsey, which at present lies outside the county,

COSTELLOE, Mr. B. F. C. Evidence of—*cont.*
B. 1—*cont.*

though south of the drainage ridge, 13,962 4.

ii. Fulham Union 189,000, comprising Fulham, 92,000, and Hammersmith, 97,000. These were formerly united under one District Board, but were divided some years ago under separate vestries owing to growth of population and separate local interests. They form separate county council constituencies and Parliamentary boroughs, 13,964–6.

iii. St. George's Union, 134,000, comprising the parishes of St. George, Hanover Square, 78,000; the united parishes of St. Margaret and St. John, Westminster, 56,000, and the close of St. Peter, 235. Extra parochial places should in all cases be amalgamated with some other area for parochial purposes, to reduce the cost of administration, staff, &c. Whether these parishes should form separate areas is a question; probably they should, 13,966–75.

iv. Westminster Union, 37,300, comprising St. James', Westminster, 25,000, and St. Anne's, Soho, 12,300.

v. Strand Union, 27,400, comprising St. Paul's, Covent Garden, 2,150; the precinct of the Savoy, 200; St. Mary le Strand, 1,550; St. Clement Danes, 3,500; the Liberty of the Rolls, 420, and St. Martin's-in-the-Fields, 14,700.

These two unions together form the Strand Parliamentary Division, 65,000; but three Local Government areas (St. James', Westminster, 25,000; St. Martin's, 14,700; and the Strand District, 25,000). It would probably be best to follow the divisions of the unions in these cases, 13,975–7.

vi. Stepney Union, 57,000, comprising Wapping, 2,100; Shadwell, 8,100; Ratcliff, 15,000; and Limehouse, 32,200. These should be united under one vestry, not a district board, 13,977.

vii. Poplar Union, 167,000, comprising Poplar, All Saints', 56,000; Bromley, St. Leonard's 70,500, and Bow, St. Mary's, 40,500. These are united under the Poplar District Board, but form two county and Parliamentary divisions, (Poplar, 78,500 (including part of Bromley), and Bromley and Bow, 88,500). These had better form two areas, Poplar, and Bow and Bromley under a united vestry, 13,977–8.

viii. Whitechapel Union, 74,500, comprising Mile End New Town, 11,300; Old Tower Without, 65; Old Artillery Ground, 2,140; Norton Folgate, 1,450; St. Botolph without Aldgate, 2,970; St. Katherine's, 182; Christchurch, 22,860; the Minories, 301; Whitechapel, St. Mary's, 32,300, and the Liberty of the Tower, 870. A small part of Whitechapel is in the City for local government and electoral purposes, and the Tower is extra parochial, otherwise these places are all included in the district of the Whitechapel Board of Works, which is a convenient area, but it should be made to include the excluded places, 13,978.

ix. St. Giles-in-the-Fields and St. George's, Bloomsbury, 39,800, comprising these more or less united parishes (and Lincoln's Inn, 27, and Gray's Inn, 253, which are extra parochial, and in no union). They now form part of the Holborn county and Parliamentary Division. This is a convenient area, 13,978–80.

x. Holborn Union, 142,000, comprising St. Andrew's and St. George's, 26,200; Saffron Hill, Hatton Garden, and Ely Rents, 4,500; St. Sepulchre, 1,970; St. Luke's, 42,440; the Charterhouse, 136, and St. James' and St. John's, Clerkenwell, 66,200; besides Staple Inn, 21, and Furnival's Inn, which are in no parish or union, and Glasshouse Yard, 780, which is in the parish of St. Botolph, Aldersgate, and the City of London Union. Of these, St. Luke's and Clerkenwell are under separate vestries; the rest forms the district of the

COSTELLOE, Mr. B. F. C. Evidence of—*cont.*
B. 1—*cont.*

Holborn Board of Works. Clerkenwell is a separate county and Parliamentary Division (Central Finsbury). St. Luke's, with St. Sepulchre, the Charterhouse and Glasshouse Yard form the division of East Finsbury, and the rest, combined with St. Giles' and St. George's, and Lincoln's Inn and Gray's Inn, forms the Holborn Division. It would probably be best to leave St. Luke's and Clerkenwell as they are, and to unite the other places in the Holborn district under a single vestry, 13,980.

xi. Wandsworth and Clapham Union, 207,500, comprising Battersea, St. Mary's, 150,600, which is a separate parish for local government. Clapham, 43,700: Putney, 17,800; Streatham, 43,000; Tooting Graveney, 5,800, and Wandsworth, 46,700. For local government purposes, this area is divided into Battersea parish, 150,600, and Wandsworth district, 157,000, corresponding nearly with the two Parliamentary (Battersea and Wandsworth) and three county divisions (Battersea, Clapham, and Wandsworth). It would probably be better to separate Wandsworth and Putney from Tooting, Streatham and Clapham, 13,980–2.

xii. St. Saviour's Union, 202,700, comprising Newington, St. Mary's, 115,800; Southwark, St. Saviour's, 13,900; Christchurch, 13,300, and St. George the Martyr, 59,700. St. Saviour's and Christchurch now form the St. Saviour's district, 27,200; the other two are separate administrative parishes. Newington forms one Parliamentary borough and two county divisions (West Newington and Walworth); the other three parishes are included in Southwark for Parliamentary, and West Southwark and Bermondsey for county purposes. It would probably be well to unite them for local government purposes too under one vestry, 13,982.

xiii. St. Olave's Union, 136,700, comprising Bermondsey, St. Mary's, 84,700; Rotherhithe, St. Mary's, 39,300; St. Olave's, 2,160; Southwark, St. Thomas', 750, and St. John's, Horselydown, 9,800. Bermondsey and Rotherhithe are separate administrative parishes; the others form the St. Olave's district. For Parliamentary purposes they are all in Southwark, and for county purposes are divided between Bermondsey and Rotherhithe divisions. Bermondsey should form a separate area and the rest another, except that St. Olave's should be joined on to St. Saviour's, 13,982–5.

xiv. Lewisham Union, 94,350, including Lewisham, 72,300; Lee, 16,400, and Eltham, 5,700. Lewisham combined with Penge (in Croydon Union) forms the Lewisham district, 92,650. Lee and Eltham, with Charlton and Kidbrooke (in the Woolwich Union), form the Lee district (recently separated from Plumstead); Lewisham and Lee form the Lewisham Parliamentary and county division (Penge being in Camberwell and Dulwich respectively), while Eltham falls into the Woolwich Parliamentary and county divisions. Lewisham and Lee should continue to form separate local areas, 13,985.

xv. Woolwich Union, 107,300, comprising Woolwich (Local Board), 40,850; Plumstead, 52,440; (vestry) Charlton, 11,750, and Kidbrooke, 2,300. Woolwich with Plumstead forms the Woolwich county and Parliamentary division, while Charlton and Kidbrooke are in Greenwich for both purposes. The two latter being in the Lee district, these parishes should be united, 13,985.

xvi. Greenwich Union, 165,400, includes Greenwich, 57,250; St. Nicholas', Deptford, 6,900, and St. Paul's, Deptford, 101,300, all

COSTELLOE, Mr. B. F. C. Evidence of—*cont.*
B. xvi.—*cont.*
three being in the Greenwich local government district. St. Paul's forms a county and Parliamentary division (Deptford) by itself, while the two former with Charlton and Kidbrooke (Lee) form the Greenwich division for both purposes. It would be well to make an independent parish of St. Paul, Deptford, and to unite St. Nicholas, Deptford, to Greenwich, 13,985.
xvii. City of London Union, 38,200, including 113 parishes, and forming a separate area for local, county and Parliamentary purposes, 13,985.
This scheme would leave about 40 areas suitable for direct vestry representation instead of secondary representation through a district board, 13,985. The thing had better be done gradually, say by the central authority, subject to local inquiry and ultimate confirmation by Parliament, rather than at one swoop by a Bill, which would arouse immense opposition, 13,986–8.
As regards the powers of local bodies as much should be entrusted to them as possible, consistently with efficient and economical administration, 13,988. It would be impossible to set up a number of real municipalities in London, 13,989–90.
COULSDON COMMONS, acquired and maintained by the Corporation under the Corporation of London Open Spaces Act, 1878, out of the proceeds of the grain duty, *Rotton*, 378–80; *Gomme*, 4073–9; *Kemp*, 5373–81.
COUNTY COUNCIL OF LONDON:
Evidence on behalf of:
See Costelloe, Dickinson, Gomme, Harrison, Kemp, and Longstaff.
1. Constitution and Procedure.
2. Duties and Powers:
(i.) *Administrative*—
(*a.*) Over all London.
(*b.*) Outside City only.
(ii.) *Control.*
(iii.) *Acquisition of Land.*
(iv.) *Rating.*
(v.) *Borrowing.*
(vi.) *Miscellaneous.*
1.—(*a.*) Constitution and Procedure:
Successor to Metropolitan Board of Works and to administrative side of Justices in and out of quarter sessions; elected triennially, like other county councils, by electoral divisions coincident with parliamentary boroughs contained in administrative county of London, including the City, each returning twice as many representatives to Council as to Parliament, *Rotton*, 5–9.
Consists of 116 councillors and 19 aldermen elected by them, *Rotton*, 10.
Clerks in holy orders, &c. not disqualified, *Rotton*, 79.
Officers:
Position and functions of chairman, deputy-chairman, and vice-chairman, *Harrison*, 8751–821.
Proposals for a new central body affecting the County Council. *See* Amalgamation, 3.
(*b.*) Procedure of Committees, &c.:
Procedure at committee meetings, *Harrison*, 814–25.
Special committee appointed to deal with matters relating to Royal Commission, and to represent Council before it, *Harrison*, 811–9.
Works Committee:
Having been advised that it may carry out its own work, Council has appointed committee for that purpose; has a central work yard at Belvedere Road, Westminster, under a permanent manager; has provided stores, &c. Employs a few permanent men (including policemen and park-keepers) and many temporary, whose number varies according to the amount of work to be done, *Dickinson*, 1354–62.
Various works carried out under new system, *Dickinson*, 1363–70.
The Works Committee act, if possible, on estimate of the architect; they do not undertake one-tenth of the work being done for the Council, *Dickinson*, 1371–2.
COUNTY COUNCIL OF LONDON—*cont.*
2. Duties and Powers:
(i.) Administrative—
(*a.*) Over all London, including City:—
Bands:
The Council has power to provide and subsidize bands to play in all public places in the county, *Dickinson*, 1303.
Buildings, New, Regulation of:
Under Metropolitan Building Acts, 1855–82, rests with County Council, *Rotton*, 285–9; *Harrison*, 855; *Dickinson*, 876–81, 1456.
See also Vestries, C. 4 v:
Buildings, Dilapidated:
The Council exercises general control over, *Dickinson*, 13,611–4.
Commons:
Commons situated in the metropolis are in charge of County Council, which may also contribute towards expense of any other metropolitan common, *Rotton*, 375; *Harrison*, 999.
Contagious Diseases (Animals) Act:
As to animals other than foreign, the Council is the authority; the City contributes to county rate, *Dickinson*, 1325–37.
Drainage:
Framing of byelaws, *Dickinson*, 1456.
Embankments:
The Council is charged with duty of maintenance and construction, *Dickinson*, 1284–91.
Factories, structural regulation of, *Dickinson*, 13,614–6.
Fire Brigade:
Managed by Council; expenses paid partly by Government grant and by insurance companies, *Rotton*, 372; *Dickinson*, 1456, 13,489.
Floods, prevention of, *Dickinson*, 1284–94.
Infectious Diseases, Notification of:
County Council has limited powers, *Dickinson*, 1398–403.
Main Roads, i.e.:
Roads disturnpiked since 1870, or constructed by Metropolitan Board of Works or County Council, are maintained by latter, *Rotton*, 310–5.
Main Sewers:
Provided and maintained by Council as successors to Metropolitan Board of Works. It may declare a sewer to be a main sewer, in which case it has to maintain it, *Rotton*, 245–54; *Dickinson*, 1215–26; *Harrison*, 864, 946–50.
Medical Officers of Health:
The Council has power to pay half salary (in most cases) and to demand an annual return; ultimate authority Local Government Board, *Dickinson*, 1376–97.
Music and Dancing Licences, Grant of, *Dickinson*, 1415–9.
Music Halls, Licensing and Structural Regulation of, *Dickinson*, 1415–25, 1456.
Naming and numbering Streets:
The Council has absolute power, *Dickinson*, 1412–4.
Overhead Wires (framing of byelaws), *Dickinson*, 1404.
Pollution of Rivers:
Prevention of (duties nominal), *Dickinson*, 1027–9, 1448–51.
Prevention of Floods:
The Council has general control, *Dickinson*, 1292–4, 13,488.
Racecourses, Licensing of, *Dickinson*, 1419–25.
Street Improvements under Act of 1855, *Rotton*, 509, 632–5.
Theatres, Structural Regulation of, *Dickinson*, 1415.
Tramways on Main Roads:
The Council is authority for, and may make byelaws respecting locomotive traffic on, *Rotton*, 300, 307, 308.
(*b.*) Outside City only:—
The County Council is authority for—
Bridges on Thames and Lea within area of administrative county, except London Bridge, and Southwark, Blackfriars, and New Tower Bridges, *Rotton*, 544–9, *Dickinson*, 895–7, 13,488; *Harrison*, 914.

COUNTY COUNCIL OF LONDON—*cont.*
2. (i.) (*b*). ADMINISTRATIVE DUTIES OUTSIDE CITY—*cont.*
[Several bridges freed from toll by joint committee of Metropolitan Board of Works and Corporation out of proceeds of coal dues; *Rotton*, 550–61.]
Buildings, New, Dangerous, and Dilapidated:
Regulation of, under Metropolitan Building Act, 1869, *Rotton*, 285–94; *Harrison*, 855, 874, 875; *Dickinson*, 876–81, 13,454, 13,592, 13,611–4; *Weaver*, 11,307; *Longstaff*, 13,761–800, 14,065–93, 14,133, 14,142, 14,143.
Commons, *Rotton*, 375–8; *Harrison*, 999.
Contagious Diseases (of Home Animals), *Dickinson*, 1326.
Coroners:
Appointment and payment of, *Dickinson*, 965–81, 1325, 13,489.
Cowhouses Licensing of, *Dickinson*, 1427–31, 13,505, 13,506.
Dairies, Registration and Inspection of, *Dickinson*, 1431, 1432, 13,505, 13,506.
Electric Lighting (also Vestries and District Boards), *Dickinson*, 1435, 1436.
Explosives, *Rotton*, 364–71; *Dickinson*, 1435, 1436.
Gas Supply:
The Council appoints examiners, *Rotton*, 576.
Housing of the Working Classes, as regards:—
(i.) *Unhealthy Areas:*
The Council is local authority, Secretary of State being central authority, *Rotton*, 256; *Harrison*, 887; *Dickinson*, 13,489.
(ii.) *Unhealthy Dwellings:*
The Council is local authority, the Secretary of State, and in some cases Local Government Board, being central authority; vestries and district boards also have powers, *Rotton*, 271; *Dickinson*, 13,489.
(iii.) *Working Classes' Lodging-houses:*
The Council is sole authority; expenses paid from county fund, as for special county purpose, *Rotton*, 276, 277; *Dickinson*, 13,489.
Industrial and Reformatory Schools:
Power to maintain and manage Mayford and Feltham Schools acquired under Local Government Act, rate in respect to them does not run into City, *Dickinson*, 1309–17; 13,489.
Infant Life Protection, *Harrison*, 889; *Dickinson*, 1430, 13,514.
Infectious Diseases:
Notification of (limited powers only), *Dickinson*, 1398–403.
Lunatic Asylums: Rotton, 449–54; *Harrison*, 868, 914–41; *Dickinson*, 13,489.
Markets, inquiries only:
[All the markets in the metropolitan area are in the hands of the Corporation by charter, or of private persons under charters or Acts passed with the Corporation's consent, *Rotton*, 434–5; *Harrison*, 855; *Dickinson*, 13,534–7.]
Mortuaries:
The Council (and also Vestries and District Boards) may provide for unidentified bodies, *Rotton*, 463; *Dickinson*, 13,489; *Westacott*, 13,177–80. *See also under* (ii.) *Control.*
Offensive Trades, Licensing of, *Dickinson*, 1426, 1427, 13,510–3.
Open Spaces under Act of 1863:
[Vestries and district boards have also powers under Act of 1881, *Rotton*, 385–92; and the Corporation can acquire and maintain as an open space any common or land within 25 miles of City, under the Corporation of London Open Spaces Act (1878)], *Rotton*, 376–8; *Dickinson*, 1297, 13,489.
Overhead Wires:
The Council has power to make byelaws and to act in default of local authorities, *Dickinson*, 1404–11.
Parks:
The Council has powers under the Open Spaces Act; powers as to byelaws and bands in parks, *Dickinson*, 1297–308, 13,489; *Harrison*, 907.

COUNTY COUNCIL OF LONDON—*cont.*
2. (i.) (*b.*) ADMINISTRATIVE DUTIES OUTSIDE CITY—*cont.*
Petroleum: Rotton, 364–71; *Dickinson*, 13,508–9.
Shop Hours Act:
Enforcement of, *Dickinson*, 1447, 13,524.
Sky Signs, *Longstaff*, 14,043–59.
Slaughter Houses, Licensing of, *Dickinson*, 1426, 1427, 13,496–505.
Small Holdings, *Dickinson*, 1338–53, 13,489.
Street Improvements under Act of 1855:
[Vestries and district boards have also powers under Michael Angelo Taylor's Act (1817), with consent of County Council], *Rotton*, 508–12.
Tramways on highways other than main roads, *Dickinson*, 1456, 13,489.
[Vestries and district boards have also powers as road authorities, the Board of Trade being central authority. *Rotton*, 406–16.]
Water supply:
Constancy of, *Rotton*, 316–25; *Dickinson*, 13,491.
Weights and Measures, *Harrison*, 897; *Dickinson*, 951–64, 1445, 13,514–24.
(ii.) *Control:*
Borrowing of Vestries and District Boards:
Under Act of 1855 must have consent of County Council, *Rotton*, 780; *Cohen*, 12,640–69; *Harrison*, 1000–4; *Dickinson*, 1055, 1251–6, 1268–79, 13,539–89.
Highways, other than Main Roads:
Closing of for repairs; consent of Council; necessary to, outside City, *Andrews*, 12,426–33; *Dickinson*, 13,525–9.
Mortuaries:
Provision of, by unions of vestries and district boards, is controlled by Council, *Rotton*, 462–4.
Sanitary Administration and Control:
(i.) The Council has power to make byelaws as regards offensive trades, water-closets, and certain nuisances, with approval of Local Government Board, *Rotton*, 223–4, 239–41; *Dickinson*, 1144–51, 1456.
(ii.) Appeal to Council under Public Health Act of 1891 by persons aggrieved by decision of local sanitary authority, *Rotton*, 219–21.
(iii.) The Council may act in place of local authority making default under Act of 1891, with respect to the removal of any nuisance, the institution of any proceedings for enforcement of any byelaws, and recover expenses from them, *Rotton*, 222, 242–4.
(iv.) The Council may complain to the Local Government Board of any default made by local authority in enforcing Act of 1891 or byelaws made thereunder, and the Board may issue order (to be enforced by mandamus) to defaulting body, or appoint the Council to act in its place, *Rotton*, 222, 242–4.
(v.) *Infectious Diseases:*
Notification of infectious diseases sent through the Metropolitan Asylums Board to County Council, which has power to declare diseases to be infectious, *Dickinson*, 1398–403.
Sewers other than Main Sewers:
Regulations issued by County Council for guidance of local authorities, *Rotton*, 233–4, 239–44.
The Council may declare sewers to be main sewers, and assume the responsibility for them, *Rotton*, 245–54.
Street Improvements:
Consent of Council required to action by vestries and district boards under Michael Angelo Taylor's Act (1817), *Rotton*, 508–12; *Dickinson*, 1181–202.
(iii.) *Acquisition of Land:*
The Council has general powers to acquire land under the Local Government Act of 1888, *Rotton*, 627–31; with approval of Secretary of State it may take land compulsorily for sewage disposal under Act of 1855, *Rotton*, 632–7.
Small Holdings Act:
The Council has taken land at Poplar under, which is sublet largely, and is in communication with War Office as regards Plumstead

COUNTY COUNCIL OF LONDON—*cont.*
2. (iii.) *Acquisition of land*—cont.
Marshes; must let at such a price as will cover expenses, *Dickinson*, 1338–53.
(iv.) *Rating Powers:*
(1.) *Assessment:*
In hands of overseers (vestries, &c.), except as regards hamlet of Penge, where County Council makes assessment; Council may appeal to quarter sessions against assessment by overseers, *Rotton*, 646–55; *Dickinson*, 1004, 1236–308.
(2.) *Levying and Collection of Rates:*
County rate levied by Council—
(*a*) for general purposes.
(*b*) for special county purposes.
The City contributes to the former only, *Rotton*, 709.
Rate is paid by overseers (practically by vestries, or Commissioners of Sewers in City) out of poor rate, not levied separately *Rotton*, 705–12.
(v.) *Borrowing Powers and Finance generally:*
The County Council, as successor to Metropolitan Board of Works, has its finance governed by the Acts of 1869, 1871, and 1875, which make it subject to detailed Treasury approval, both as regards loans for its own capital expenditure, and for lending on to vestries and other bodies, such as Metropolitan Asylums Board and School Board, for theirs, *Rotton*, 743, 764; *Dickinson*, 1263–5; employment of sinking fund in loans to these bodies authorised by Money Act of 1881, and to meet the Board's capital expenditure by Act of 1885, *Rotton*, 749–51; *Harrison*, 1248–61.
Maximum currency of loans to vestries, &c. usually stated in Acts authorising such loans and limited to currency of stock created; but within such maximum periods Treasury consent to currency necessary, *Rotton*, 757–63; *Dickinson*, 1245.
Permanent loans raised by creation of Consolidated Metropolitan Stock; temporary by advances from bankers, though Council has power to issue Metropolitan bills, *Rotton*, 764–9; *Harrison*, 1246–63; *Dickinson*, 1265–7.
Annual Money Bill, authorizing borrowing of moneys required for service of year, used to be introduced by Treasury as a public Bill, and then referred to Select Committee, and further dealt with as a private Bill; but is now treated as a private Bill throughout, though it is privileged as regards dates of notices; otherwise Treasury control remains as before, *Rotton*, 769–77. Provisions of a typical Money Bill, *Dickinson*, 1263.
Financial tables attached to money Bill under Act of 1875, showing assets, liabilities, sinking funds, rating, expenditure, &c., *Rotton*, 778–9.
Borrowing powers of London and other county councils compared, *Rotton*, 801–7; *Gomme*, 4317–21.
See also under ACTS (METROPOLITAN BOARD OF WORKS (LOANS)).

COUNTY OF LONDON AND COUNTY OF THE CITY OF LONDON:
(*a.*) THE COUNTY OF LONDON:
The City is, and has been from time immemorial, a county of itself; but the adjacent districts formed parts of the surrounding counties, until the Local Government Act (1888) formed them into a county of themselves, with a county's functions, &c., *Kemp*, 5936–40.
The two counties together form the administrative County of London, under the County Council, *Kemp*, 5941.
(i.) *Justices of the Peace and Police Magistrates:*
Comparison of the position of justices in London and other counties, *Kemp*, 5988–92. Number of stipendiary magistrates and cases where their districts extend outside the police district, *Kemp*, 5993–6007. Cases where a stipendiary has the power of two justices. There is no obligation on persons to appear outside the police district in which they reside, *Kemp*, 6008–18. Regulations as to fees, *Kemp*, 6018–9. Cases where any two justices have

COUNTY OF LONDON AND COUNTY OF THE CITY OF LONDON—*cont.*
(*a.*) (i.) *Justices and Magistrates*—cont.
the powers of a stipendiary, *Kemp*, 6019–20. Cases where they may have nearly all the powers of a stipendiary, *Kemp*, 6021–3. Regulations as to where persons committed are to be tried, *Kemp*, 6023–7.
Police magistrates cannot deal with matters directed to be dealt with by special sessions, *e.g.*, licences, &c., *Kemp*, 6033–8.
Powers and duties common to police magistrates and justices appointed by quarter sessions, *Kemp*, 6037–44.
(ii.) *Quarter Sessions:*
Now regulated by a scheme issued by the Home Secretary under the Local Government Act, *Kemp*, 6042–7.
Chairman and Deputy Chairman of the Sessions, appointment and remuneration of, *Kemp*, 6048–89.
(iii.) *The Sheriff:*
Nomination and duties the same as those in other counties, *Kemp*, 6090–3.
(iv.) *The Lord Lieutenant:*
Duties the same as those in other counties, *Kemp*, 6094–7.
(v.) *Coroners:*
Are as a rule appointed as those of other counties, *Kemp*, 6098–100.
(*b.*) THE COUNTY OF THE CITY OF LONDON:
The City is a county of itself. This should cease, *Harrison*, 9069–90.
(i.) *Sheriffs:*
The City has the ancient right of appointing its own sheriff. Purchase and loss of the shrievalty of Middlesex by the City, *Kemp*, 6101–10.
(ii.) *Administration of Justice by Magistrates:*
The City is divided into two parts by a line drawn east and west, and cases go to their corresponding justice rooms, Mansion House and Guildhall. The Lord Mayor and Aldermen have nearly all the powers and privileges of a police magistrate within the City, except as regards extradition, *Rotton*, 112–20; *Kemp*, 6028–30; 6111–4.
See also ALDERMEN, A. (*c*) 1, *Judicial Duties.*
(iii.) *The Court of the Lord Mayor and Aldermen:*
Is the Court of Quarter Sessions, *Kemp*, 6114–22. It has power to try criminal actions, *Kemp*, 6134.
(iv.) *Commission of Lieutenancy:*
There is no Lord Lieutenant, the Lord Mayor being the head of the Commission. Trophy tax levied for military purposes, *Kemp*, 6123.
See also AMALGAMATION, 3. F. (*c*).

COURT OF ALDERMEN. *See* ALDERMEN OF CITY OF LONDON.

COURT OF COMMON COUNCIL. *See* COMMON COUNCIL.

COURT OF PASSAGE, LIVERPOOL:
Constitution, &c., of, *Clare*, 10,372–93.

COURTS OF JUSTICE IN THE CITY. *See* CITY OF LONDON, 5.

COVENT GARDEN MARKET:
Established by Earl of Bedford under Charter of Charles II., *Rotton*, 434–44; *Harrison*, 855; *Kemp*, 4977–86.

COWHOUSES, LICENSING OF:
AUTHORITIES FOR:
(*a.*) *In City:*
The Commissioners of Sewers, *Dickinson*, 1428–31.
(*b.*) *Outside City:*
The County Council, *Dickinson*, 1426–31.
The duty might be transferred to the local authorities, *Harris*, 13,068–71; *H. J. Smith*, 11,767; *J. E. Smith*, 12,252; *Dewey*, 11,667; *Holland*, 11,954–74; *Westacott*, 13,177–80; *Whale*, 12,340–8; *Tagg*, 10,759.
Comments on this proposal, *Dickinson*, 13,505, 13,506.

CUMULATIVE VOTING:
Advantages of, in election of councillors, &c., *Johnson*, 9327–30; *Pritchard*, 12,006–8.

CUSTOMS OF THE CITY. *See* CITY OF LONDON, 6.

CUSTOS ROTULORUM:
Proposal that the Lord Mayor of the proposed Corporation should be Lord Lieutenant and, for the county of London, *Harrison*, 8782–8.

DAIRIES, REGULATION AND INSPECTION OF:
AUTHORITIES FOR:
(*a.*) *In City:*
Common Council.
(*b.*) *Outside City:*
County Council, *Dickinson*, 1432.
The duty might be transferred to the local authorities, *Harris*, 13,068–71; *Dewey*, 11,667; *Holland*, 11,954–74; *Tagg*, 10,759; *H. J. Smith*, 11,767; *J. E. Smith*, 12,252; *Westacott*, 13,177–80; *Whale*, 12,340–8. Comments on this proposal, *Dickinson*, 13,505, 13,506.

DANGEROUS BUILDINGS. *See* BUILDINGS, REGULATION OF (2).

DATCHELOR'S SCHOOL:
In Camberwell, *Tagg*, 10,713–5.

DAY CENSUS OF THE CITY OF LONDON:
A day census of the City was taken in 1871, 1881, and 1891, showing a day population of 170,133, 261,061, and 301,384 respectively, the respective night population being 70,867, 50,652, and 37,694, *Salmon*, 8005–12, 8019–24; *Cohen*, 12,789–93.
Causes of the decrease of the night population in London and other towns, *Salmon*, 8024, 8025–30.
Improvements in streets for traffic accommodation; the coal dues, which enabled these improvements to be made, are now abolished. Statistics as regards City traffic, *Salmon*, 8013–18.

DEPTFORD:
Parishes of St. Nicholas and St. Paul, included in Greenwich union, *Costelloe*, 13,985.

DEPTFORD FOREIGN CATTLE MARKET. *See* MARKETS, 1. (*a*) (7), *and* CORPORATION, 4 (7), 4 (10) (ix.) *and* 6 (*f*).

DEPUTY CHAIRMAN OF THE LONDON COUNTY COUNCIL:
(i.) EVIDENCE OF, *see Dickinson*.
(ii.) FUNCTIONS, &c. OF, *Harrison*, 8803–21.

DEWEY, MR. WILLIAM FRANCIS, Clerk to the Vestry of St. Mary, Islington.

ANALYSIS OF EVIDENCE.

Witness is authorised to express the opinions of his Vestry on the main points at issue, 11,378–80. Area (3,107 acres), population (325,000) and rateable value (over 1,700,000*l.*) of the parish of Islington. As regards area it stands seventh, as regards rateable value third, and as regards population first, of the metropolitan parishes, the population being larger than that of any borough or city in England outside London, except Liverpool, Manchester, Birmingham, and Leeds, 11,381–3.

1. THE VESTRY.

Election, Organisation, Powers and Duties:
The local governing body of the parish of Islington is the Vestry, there being also a Burial Board and Commissioners of Baths and Washhouses, appointed by the Vestry (as a rule, from among its own members), and controlled by it as regards the salaries of their officers and other financial matters, 11,384–8. The parish has not adopted the Public Libraries Act, 11,389.

(1.) *Election, &c.:*
The Vestry has been elected hitherto, under the Metropolis Management Act, by the ratepayers of 12 months standing, one-third of the members retiring annually. The Local Government Act, 1894, has altered the electorate by—
(i) combining the Parliamentary and County Council registers, thus giving votes to male lodgers and freeholders, occupying servants and ratepayers on the County Council register, 11,390–5. This will raise the number of qualified electors from about 32,000 to 40,000. The number is greatly limited by the residential provisions of the Registration Laws, which would, in effect, disqualify anyone who had come into the parish since 15 July, 1893, from voting at the election in November, 1894, 11,396–402. The Act of 1894 does not affect the duration of the vestrymen in office, unless an alteration is made by the County Council, 11,403–4. Witness prefers the County Council electorate, 11,529–32;
(ii) abolishing all qualifications for candidates, except that of being on the electoral register, or having resided for 12 months in the parish. This last provision would qualify married women living with their husbands, or sons and daughters of full age living with their parents, 11,404;
(iii) applying to vestry elections the provisions of the Ballot Act and Corrupt Practices Act, 11,405–6.

(2.) *Powers and Duties:*
a. The Vestry is practically a board of works controlling the roads and footpaths, lighting, drainage, removal of refuse, &c., its consent being also necessary for the introduction of schemes for tramways, electric lighting, &c., 11,406–8.
b. It also is the local authority for administering the Public Health (London) Act, 1891, the Housing of the Working Classes Act, the Sale of Food and Drugs Act, and the Factories and Workshops Act; and as such looks after unhealthy dwellings, unwholesome food and noxious trades, the prevention of disease, analysis of food, removal of nuisances, and the proper drainage, ventilation, &c., of buildings, 11,408.
c. It has the rating powers of overseers, prepares valuation lists, collects rates and compounds with owners for payment, &c, and through its Assessment Committee finally settles the assessments originally prepared by itself as overseers. It also exercises the powers of overseers and churchwardens—whom it appoints—over disorderly houses, the preparation of the borough and county lists of voters, and the administration of local charities, 11,408.
d. It also has powers under the Burial Acts, Free Libraries, Baths and Washhouses and Open Spaces Acts, and over electric lighting, tramways, locomotives, &c., 11,408–12.
e. It appoints, fixes pay of, dismisses and controls the whole of the staff, except the Medical Officer of Health, who can only be dismissed by consent of the Local Government Board, 11,428.

(3.) *Organisation and Working:*
The Vestry of Islington consists of 120 members. This number is fully large. Most of the work is done through five committees, consisting of from 20 to 60 members each. The Works Committee (60 members) is needlessly large, 11,413–9. The Vestry meets, as a rule, fortnightly, or say three times a month, at 7 p.m., the meetings lasting from three to four or five hours. The meetings of the committees are the same. The hour is not convenient for the staff, but business men cannot attend earlier, 11,420–8.
The administration of the Islington Vestry is very economical, 11,429. The area it governs, all one parish, is a convenient one in point of size and boundaries, neither too large nor too small for efficient administration, 11,430–3. It consists mainly of middle-class residental property, the assessments varying from 20*l.* to 200*l.*, the average being 30*l.* to 40*l.* It is neither very rich nor very poor, 11,434–46.
Witness would prefer the title of District Council to that of Vestry, but there is no demand for a corporation with mayor and aldermen. The Chairman might be styled Mayor, but that title rather connotes hospitality, &c., for which Islington has no funds, and which had better be left to the chief municipalty of London, a good man might shrink from accepting the office if it entailed private expenditure on him, 11,447–62. At present the Vicar is *ex officio* chairman, and attends every meeting to regulate debate; he does not take part in the administrative work. He is personally popular as well as hardworking, and will probably be re-elected

DEWEY, Mr. WILLIAM FRANCIS, Evidence of—*cont.*

1. (3.) Islington Vestry. Organisation, &c. of—*cont.*

chairman under the new Act. There is no objection on the part of Nonconformists to his position, 11,463–73.

Each rating body should make a precept direct upon the district council, and the latter should make a separate rate in respect of each precept, 11,478.

Islington objected to the provisions of Sir William Harcourt's Bill of 1884, which only gave the vestries such powers as the proposed new Common Council might delegate to them. They should have large original powers, even larger than at present, *e.g.*, the administration of the Building Acts, Weights and Measures Acts, Contagious Diseases (Animals) Acts, Explosives Act, &c., subject to byelaws to be passed by a responsible authority, preferably the Local Government Board, not the County Council, which consists too much of men of the type of vestrymen and similarly elected, and in which the views of the representation of Islington are likely to be neglected, 11474-85. For example, the byelaws under the Building Acts framed by the County Council had to be amended by the Local Government Board to meet the views of the Vestry of Islington, and the Board would do the work better itself, being less liable to fluctuations of policy, but in some respects the opinion of a body representing all London may be of value, 11,486–94. The Board might settle the byelaws after consulting both the Vestries and Council. Perhaps it would be enough to let the Council frame the byelaws, and to give the Vestries an appeal from them to the Local Government Board, 11,495–7. Witness cannot suggest at the moment any function which might with advantage be transferred from the Vestries to the County Council, 11,498.

2. Relations between Islington Vestry and the County Council.

The relations between the Vestry and the Council are as a rule harmonious, but points of difference are accentuated by the fact that the members of both bodies are of the same social standing and similarly elected, so that the vestrymen resent more the interference and control of the Council, 11,499–503. It would be an advantage that the Islington members of the Council should be *ex officio* members of the Vestry. Witness can suggest no other means of bringing the two bodies more into touch with one another, 11,504–7. Hitherto the Vestry elections have been free from political party spirit, but under the new Act they may become less so. They do not excite much local interest, which may be taken as a proof that the Vestry does its work well, 11,508–12. Witness approves, on the whole, of the suggestion that one election might be held for both county and district councils, the men at the head of the poll being the county councillors; but it would perhaps be better, inasmuch as the electorate, &c. is different, that the elections should be separate but contemporaneous, so that the same man could stand for both if he wished. The fuss of an election deters good men from coming forward as candidates, 11,503–20; and there are no dignities and honours to be earned in Islington as in provincial boroughs, &c. There is a want of central feeling in the various parts of London, 11,534–46. Annual election of one-third of the members is preferable to triennial election of all, as enabling the body to keep more in touch with the electorate, 11,521–8. Witness prefers the County to the District Council electorate, but would even enlarge the former to the latter to bring the two elections together, 11,529–33. Islington promoted the Conference with the County Council on rating assessment, witness favouring the idea that the Council should control assessments so as to prevent the vestrymen assessing themselves, 11,547–51.

Instances of arbitrary behaviour of the County Council towards the Vestry as regards contributions towards improvements, the currency of loans, &c. Control over the borrowing of vestries should rest with the Local Government Board, not the County Council, especially as the latter generally lends the money. An appeal to the Local Government Board in cases of dispute would perhaps meet the

DEWEY, Mr. WILLIAM FRANCIS, Evidence of—*cont.*

2. Relations between Islington Vestry and County Council—*cont.*

case. But the Vestries should be able, like the School Board and Asylums Board, to borrow in the open market without any interference on the part of the County Council, when, as is often the case, they can do so more cheaply, but the County Council might be obliged to lend if the loan were approved by the Local Government Board, 11,551–619. The same objection would apply to any body that might be set up in the place of the County Council, 11,622–9.

The vestries had, from the mode of election, greater touch with the Metropolitan Board of Works than with the County Council, but there was a certain amount of log-rolling on the Board, especially as regards loans, 11,620–1.

Partition of Functions between Central and Local Authorities.

(i.) *Building Acts.*

There is a good deal of confusion attending the administration of the Building Acts, the Vestries and County Council having co-ordinate powers. Witness takes exception to a decision of the Council allowing an appeal in a case of combined drainage. Direct drainage only should be allowed all over London, 11,622–45. Complaint of the action of the County Council in allowing a temporary school building to be built in Hornsey, projecting beyond the line of frontage, in spite of the opposition of the Vestry, 11,645–9.

(ii.) *Generally.*

The County Council should have no control over small local improvements, but a voice only where it contributes to the cost, 11,649. Nor should it have any voice in the question of stopping up streets during the execution of works by the local authority, or as regards the naming and renumbering of streets, for which the Post Office would be a better controlling authority. As a matter of fact, the Council always consults the Vestry, 11,649–60.

As regards main thoroughfares, the Council has never, as it should have done, exercised its power under the Local Government Act, 1888, of declaring roads to be main roads, and contributing to the cost of maintaining them, 11,661–2.

There is a complication of authority under the Public Health (London) Act, 1891, which gives the Council powers as regards nuisances, water-closets, &c., which could be perfectly well exercised by the vestries. Their byelaws on these matters are by no means free from defects or even up to the level of those of Islington Vestry, 11,663–7. The regulation of slaughter-houses and cowhouses should be entrusted to the Vestry, 11,667.

Witness does not think that the Vestry could well deal with the Islington Cattle Market, which would imply relationships with the Foreign Cattle Market at Deptford. All the markets had better be under the Central Authority, 11,668–70.

But the vestries might well administer the Baths and Washhouses, and Free Libraries, and Burial Acts, &c., and be free from undue interference in other matters entrusted to them, 11,671–3.

The question of areas would raise local jealousies, if any alteration were proposed, 11,673–5.

DICKINSON, Mr. WILLOUGHBY HYETT:

Deputy chairman of London County Council; Analysis of Evidence of (*see under* Harrison and Dickinson).

DISORDERLY HOUSES, SUPPRESSION OF:

This duty might be entrusted to the local authorities, *Holland*, 11,957; *Dewey*, 11,408.

DISTRICT BOARDS:

Constituted under the Metropolis Management Act of 1855 by election from several vestries of minor parishes, in point of population, area, and rateable value combined, *Rotton*, 70–4; *Dickinson*, 1087–103; *Gomme*, 1104–18.

See Vestries and District Boards.

DISTRICT COUNCILS:

Constituted under the Local Government Act, 1894. *See under* Vestries and District Boards, C. 2.

DISTRICT SURVEYORS:
Appointment and Duties of, under the Building Acts. *See under* Harrison and Dickinson, E. 22, *and* Longstaff, 7, 8, and 17.

DISTRICTS:
Convenient areas for local government in London. *See under* Costelloe *and* Vestries, &c., C. 2.

DOUGLAS, Mr. CECIL GEORGE, Clerk to the Lord Mayor.

Analysis of Evidence.

Witness has been for six years chief clerk at the Mansion House Justice Room, after considerable experience at Bow Street Police Court and elsewhere, 7631–3. The Lord Mayor, or in his absence an Alderman who has passed the chair, almost always presides at the Mansion House Justice Room. It is very rare for an Alderman who has not passed the chair to preside there, 7634, 7635.

Comparison of the Mansion House (and Guildhall) Justice Rooms with a Metropolitan Police Court:

1. *Character of work:*

As compared with ordinary police courts the work at the Mansion House and Guildhall is of a much higher class, the cases being, as a rule, heavier, and of a commercial rather than a police character, 7636, 7637. Many more solicitors and counsel appear at the Mansion House and Guildhall, 7637, 7683. The two courts are quite alike, the only differences being for convenience of work, some classes of cases being taken at the Guildhall and some at the Mansion House. The main distinction is a geographical one, the Mansion House taking the three southern divisions of the City and the Guildhall the three northern, 7639.

2. *Cost of Magisterial and Clerical Staff:*

The cost at the Mansion House is 1,650*l.*, and at a police court 3,980*l.*, the difference being more than accounted for by the two magistrates' salaries at the latter (3,000*l.*), 7640–3.

3. *Amount of work:*

As compared with Worship Street, the work at the Mansion House does not seem so heavy, if the number of cases only, and not their importance also, is considered, especially as in the figures given remanded cases appear only once in the latter, and as so many separate cases in the former case, 7644–9. The only fair comparison is with Bow Street, where all the Treasury work is taken, 7657. About two-thirds of the Mansion House cases are commercial cases, 7650–6.

4. *Punctuality:*

The City courts are much the more punctual in beginning, 7675–81.

Magistrates:

Witness is in favour of lay magistrates as against stipendiaries for the City where there are so many commercial cases, and would be glad to see the system extended in suitable places. Stipendiaries are, as a rule, weak in commercial knowledge, 7657–67. The decisions of the City magistrates are very rarely reversed on appeal, 7682–6. It is a great advantage, as regards punctuality and otherwise, to have the chief magistrate in the City resident there, 7687.

Corrections of Mr. Kemp's evidence:

(i.) As regards magistrates' powers in respect of extradition (*see Kemp*, 6028–30), 7669–72.
(ii.) As regards the power of City magistrates to give possession to deserted premises (*see Kemp*, 6021), 7673, 7674.

DUFF'S (ADMIRAL) LEGACY:
Administered by the Corporation, *Gomme*, 3547–53, 4373.

DULWICH COLLEGE:
Interest of Camberwell Vestry in, *Tagg*, 10,709–11.

ECCLESIASTICAL PATRONAGE OF THE CITY OF LONDON:
Livings in the gift of the Corporation; mode of appointment to, *Kemp*, 5397–404; *Monckton*, 6407–24.
Similar patronage in the hands of other municipal corporations directed by Act of 1835 to be sold, *Harrison*, 8857–9.

ELECTORS:
To various public offices, &c., in London, qualifications of. *See* Table (B.) of Qualifications at end of Index.

ELECTRIC LIGHTING (no monopoly exists):
(*a.*) *In City:*
Commissioners of Sewers are local, and Board of Trade central, authority, *Dickinson*, 1436.
(*b.*) *Outside City:*
Board of Trade is central authority, and County Council and vestries and district boards share local powers in framing and executing byelaws, *Dickinson*, 1435–6.
The duties of inspection, &c. might be entrusted entirely to the local authorities, *Leete*, 13,327–9; *Harris*, 13,070.

ELY PLACE:
Sanitary administration of, special arrangements for, *Rotton*, 295–7.
In Holborn Union, *Costelloe*, 13,980.

EMANUEL HOSPITAL. *See* CORPORATION, 7.

EMBANKMENTS:
County Council is authority for construction and maintenance of, both inside and outside City, *Dickinson*, 1284–94, 13,488; *Holland*, 11,960–73. Money applied out of coal dues to embankments, *Gomme*, 3965–81.

ENGINEERS, THE INCORPORATED INSTITUTION OF MUNICIPAL AND COUNTY.
Evidence on behalf of. *See under* Angell, Weaver, and Wheeler. *See also under* Vestries, &c., E.

EPPING FOREST:
Acquisition and maintenance of, *Gomme*, 4073–9; *Kemp*, 5373–81; *Rotton*, 379.
Proposed transfer of to the new Corporation, *Cohen*, 12,576–8; *Harrison*, 8854, 8855, 9033; *Antrobus*, 13,038–40; *Harris*, 13,130.

EPPING FOREST COMMITTEE, THE:
Consists of 12 representatives of the Corporation and four verderers elected locally by the commoners, *Johnston*, 8331.
(i.) If it were made a London County Council Committee, the local representation should be increased, *Johnston*, 8331–6. There is no divergence of interest or opinion between the City and local representatives, but there are occasional complaints, *Johnston*, 8337–48.
(ii.) There is a septennial election of verderers, and vacancies are now filled by co-option of the whole body, but should be by election by the commoners, *Johnston*, 8348–53.

ESHER:
City (Bridge House) Estates in, *Brand*, 7816.

ESSEX:
City (Bridge House) Estates in, *Brand*, 7791.

ESSEX COUNTY COUNCIL:
Evidence of Chairman. *See under* Johnston.

EVANS, Sir DAVID, K.C.M.G., past Lord Mayor (1891–2), Alderman of Castle Baynard Ward.

Analysis of Evidence of.

Witness is chairman of the Special Committee appointed annually to consider questions, especially proposals before Parliament, affecting the interests of the Corporation, to which the conduct of the case of the Corporation before the Royal Commission has been referred by the Common Council, 1963–73; has served on every other Committee under the Corporation, 1972. The statement handed in on behalf of the Corporation was drawn up under the Committee's supervision and authority; the Committee has not as yet made any report to the Common Council, 1974–9.

EVANS, SIR DAVID, K.C.M.G., EVIDENCE OF—*cont.*

Witness is a merchant in the City and on the Court of the Haberdashers' Company (one of the 12 chief companies), 1980–4. Is now Alderman of Castle Baynard Ward, was elected Common Councilman for Cordwainer Ward in 1874, 1985–8. Served as Sheriff in 1885, Lord Mayor in 1891–2, 2031, 2032. Entered on his duties in a reforming spirit with the idea that there was lavish waste and mismanagement in the Corporation, but has now found (after 19 years' experience) that the expenditure is not extravagant and the work is good. Is surprised that so many men of business sacrifice their time in the discharge of their public duties as Corporators, 1990–3, 2044. Many of the members of the Corporation are merchants or shipowners, not many bankers are members, 1994–6.

There was no contest at witness's election as a Common Councillor, probably because he was head of the most influential firm in the Ward, he came forward in answer to a requisition, 2037–43. In the contest for his election as Alderman, nearly all those in the ward entitled to vote did so, about 350 for witness and 260 for his opponent, 1997–2005. The average number of voters in all wards is 1,173, 2018. Witness issued an address; there were (in that election) at first six candidates, ultimately reduced to two; witness was elected probably because of his longer association with the Corporation, 2042–52. Castle Baynard Ward is about the average size; rateable value, 141,000*l.*, 2008, 2009. Cordwainer is smaller by 100 votes (being very much below the average), 2040–2, and in rateable value by 3,400*l.*, 2052.

All wards, irrespective of size, have the same representation on the Court of Aldermen, 2010–14. The larger wards do not complain that they have not their fair share of influence through their representation on the Court of Aldermen in the distribution of patronage, 2015–18. The patronage of the Court of Aldermen is very small, the principal patronage of the Corporation resting with the Common Council, 2262–5.

The aldermen are elected for life; they are highly respected by their constituents; they take a great interest in their work as long as they remain aldermen; for instance, Sir Andrew Lusk, who is nearly 87 years old, still discharges his duties as a magistrate and chairman of committees, 2016–27. An alderman occasionally retires at his own discretion, 2028–30. The question of politics does not influence the election of common councilmen or aldermen, in fact, their political opinions are not questioned or even known (officially), their interest in the affairs of the Corporation is the main point, 2023–6.

DUTIES OF LORD MAYOR:

(*a.*) *Magisterial:*

The most important duties of the Lord Mayor are those of chief magistrate; an alderman sits as a magistrate by rota, but the Lord Mayor sits every day (at the Mansion House), 2053–7. Cases go to the Mansion House or the Guildhall, according to the locality in which they originate, 2058. The Lord Mayor is Chief Commissioner at the Central Criminal Court, and as such opens the Court, 2115–8. He is a member (as a magistrate) of the Licensing Committee of the Aldermen, which is very active, and aims at suppressing the tippling going on in the City and creating more real refreshment houses, 2132–55. The Lord Mayor would not be able, as the provincial Mayors, to preside at Committees daily, because his magisterial work is so heavy, nor is it necessary that he should, 2226–34. He sits as chief magistrate from one to three hours daily; on the suggestion of the Chief Clerk very heavy cases are often handed over to an alderman to be dealt with, 2235, 2249–53. In the smaller municipal boroughs it is probably due to the dearth of men of commercial experience that they prefer legal business to be done by legal men, 2236–42. In the provincial towns

EVANS, SIR DAVID, K.C.M.G., EVIDENCE OF—*cont.*

judicial work is looked upon as the work of the magistrates, and municipal work of the town councillors, 2248. In such places municipal and judicial functions have gradually drifted apart, whereas the City of London stands alone in keeping them together, 2249–56. Suggested appointment of stipendiary by Royal Commission of 1854, reason of rejection, 2257–61.

(*b.*) *Ceremonial and Charitable Work:*

There is a great deal of this work. The Lord Mayor presides nearly every day at some charitable meeting at the Mansion House, 2061–3.

Outside the City the Lord Mayor holds many meetings in support of various institutions and has to refuse many from want of time, 2185–99. The Lord Mayor's secretary (who has been secretary to 19 Lord Mayors) is able to say from his experience what invitations ought to be attended to, 2200–4.

Important Mansion House Funds, how managed:

The Lord Mayor appoints a Committee, over which he presides, to deal with these funds, 2205–13.

(*c.*) *Municipal:*

The Lord Mayor attends every meeting of the Courts of Aldermen and Common Council and is in touch with the work of Committees through their reports to the Common Council, 2262–9. He has power to postpone business put before him, and becomes acquainted with matters to be brought forward through the town clerk, 2270–6. Chairmen of Committees, including the Commission of Sewers, meet and confer with the Lord Mayor on special matters, 2277–9. The judicial functions of the Lord Mayor are more important than the municipal, 2280.

(*d.*) *Other duties:*

The Lord Mayor presides over the Courts of Aldermen and Common Council, and has a position on various boards in virtue of his office, 2119–20. He is, with the Archbishop of Canterbury and the Bishop of London, trustee of the fabric and auditor of the accounts of St. Paul's Cathedral, 2121–31, 2284–8.

Aldermen as Magistrates:

The commercial knowledge (acquired in their own business) is of great value to the Lord Mayor and aldermen as magistrates in hearing cases of falsification of accounts, fraudulent bankruptcies, &c., 2064–7.

Witness considers the system of aldermen acting as magistrates in the City preferable to that of stipendiaries, as in Manchester, Liverpool, &c., 2068–73, 2083.

There is no necessity for the extension of the City system of magistrates to the rest of London; it is most suitable for the City, the commercial centre of the world, where commercial cases are in the majority, 2075. But an alderman could serve efficiently as a magistrate in a court outside the City, because his experience in the City covers almost every kind of case, 2076, 2077.

The lay magistrates could be maintained in the City even were the Corporation radically altered, 2084–5.

Lay magistrates, appointed otherwise than they are now, would not make as good magistrates as aldermen elected under the idea that their chief duties (for life) will be magisterial, and that they will in their turn fill the position of chief magistrate, 2094–5.

If the Lord Mayor were simply chairman of the petty sessions for the City it is not likely that he would undertake his magisterial duties so cheerfully as he does as chief magistrate, 2096–103. Comparison of magisterial powers of provincial mayors and the Lord Mayor, 2214–20. Were an

EVANS, Sir DAVID, K.C.M.G., Evidence of—*cont.*
alderman to perform his magisterial duties inadequately, his faults would be discovered in the nine or ten years before he became a candidate for the office of Lord Mayor, and he would be passed over, 2104. Aldermen have been passed over, when their turn to be sheriff or Lord Mayor came, because of their financial difficulties and unfitness, 2195, 2196, 2281. And owing to the inability of an aldermen to perform his duties pressure has been brought to bear upon him and he has resigned, 2283. The wisdom of passing over aldermen for election as Lord Mayor has been proved in after years; but the action of Common Council in passing over an alderman was at one time condemned, 2107, 2108. The liverymen have never passed over an aldermen, but an alderman has resigned in order to escape such an occurrence, 2109–14. Very few of the aldermen have had legal training, being mostly commercial men, 2221, 2222. Desirability of extending system of lay magistrates over England, 2223–5. Two days a week (Tuesdays and Saturdays) are set apart for purely police charges; if the commercial and police charges were not separated the work would be greatly lengthened, 2078–82.

Election of Aldermen:
Witness thinks it undesirable that aldermen should be nominated by the Lord Chancellor, which would bring a political element into the Corporation; the citizens are very careful of their choice, 2086–91. The Court of Aldermen has occasionally refused to sanction the election of a person as an alderman, 2092, 2093.

Expenses of Lord Mayor and Sheriffs:
The Lord Mayor is allowed 10,000*l.* for his year of office (exceeded by witness by 12,000*l.*), having previously as sheriff expended about 4,000*l.*, 2156–9. This excess was mainly spent on charity, heading Mansion House subscriptions, &c., 2160–3. The sheriffs provide a daily luncheon for the judges and privileged persons at the Central Criminal Court and pay the expenses of juries locked up for the night, 2164–70. The Corporation makes an allowance to the sheriffs which is taken by the under sheriff, who also receives a certain amount from the sheriffs, 2171–6. The Lord Mayor pays half the expenses of the procession and banquet and each sheriff one-fourth, the sheriff's coach is sold by each man to his successor, 2177–84.
On witness's visits, as Lord Mayor, to Islington and Camberwell, the wish for mayors and corporations was expressed, 2243–7.

EWELL:
City (Bridge House) Estates in, *Brand*, 7816.

EXPLOSIVES ACTS, *Local Authorities under:*
(*a.*) *In City:*
Common Council.
(*b.*) *Outside City:*
County Council, *Rotton*, 364–71; *Dickinson*, 13,506–8.
The execution of the Acts might be entrusted to the local authorities, *Harris*, 13,068–71; *H. Smith*, 11,769: *Whale*, 12,340–8.
Comments on this proposal, *Dickinson*, 13,507–9.

FACTORIES AND WORKSHOPS ACTS:
Powers of vestries under, *Dewey*, 11,408.
Structural control of County Council over factories, *Harrison*, 1027; *Dickinson*, 13,614–6.
The duty might to be entrusted to the local authorities, *Tagg*, 10,763; *Harris*, 13,070; *Whale*, 12,340–8.
Comments on this proposal, *Dickinson*, 13,614–8.

FARRINGDON MARKET, Abolition of. *See* Markets, 1.

FINANCE OF THE LONDON CORPORATION. *See* Corporation, 4 (*Finance*).

FINANCE OF THE COMMISSIONERS OF SEWERS. *See* Sewers, Commissioners of, 4 (Finance).

FINANCE OF THE LONDON COUNTY COUNCIL. *See* County Council, 2 (v.).

FINANCE OF VESTRIES AND DISTRICT BOARDS. *See* Vestries, &c. 4 and 5, and County Council, 2 (v.).

FIRE BRIGADE:
County Council is sole authority for metropolis; expenses, except so far as met by contributions from insurance companies, come out of county rates, to which City contributes, *Rotton*, 373–4; *Dickinson*, 13,489.

FIRE INQUESTS:
In the City an alderman acts as chairman under City of London Fire Inquest Act, 1888. The Lord Chief Justice, the Lord Mayor, or the Home Secretary can direct an inquiry, *Monckton*, 2747–65.

FLOODS, PREVENTION OF:
Power of the County Council, both inside and outside City, to compel private individuals whose property is liable to floods to protect it so that their and neighbouring property shall not be flooded; vestries making provisions to prevent floods can charge expenditure on part of parish benefited, *Dickinson*, 1027, 1292–4, 13,488.
The duty should be entrusted to the local authorities. *Holland*, 11,957–9.
Comments on this proposal, *Dickinson*, 13,488.

FOOD AND DRUGS, SALE OF, ACT:
Powers of vestries under, *Dewey*, 11,408.
The Act is efficiently exercised at present by the vestries, *Andrews*, 12,451–4.

FOREIGN ATTACHMENT, CUSTOM OF, IN THE CITY. *See under* City of London, 6. (Customs), *and* Recorder, 2.

FOREIGN CATTLE MARKET (DEPTFORD). *See* MARKETS.

FRASER, Mr. WILLIAM JOSEPH, a Vestryman of St. Anne's, Soho.

Analysis of Evidence.

Witness was a member of the Common Council of the City of London for 10 years, and is still a liveryman of the Skinners' Company, 13,803–8. Is in favour of the establishment of separate municipalities, with mayor, aldermen, and common councillors, in the several districts outside the City, 13,809. There should also be a general body to decide questions common to the whole metropolis, composed of the mayors and of elected representatives from the several districts, with the Lord Mayor of the City at the head. The elected members might be chosen either by the several municipalities, or direct by the ratepayers of each, 13,810–3, 13,913–8. The former would probably be preferable, though it is a reversal of the recent policy of Parliament in constituting the County Council, 13,813–6. That policy has been mistaken, as is shown by recent County Council elections, where the candidates have been persons unconnected with the localities and actuated only by political considerations, 13,816–9. The London ratepayer is very apathetic and averse to taking part in elections, and it would be well to reduce the number of elections by entrusting to the several municipalities proposed Poor Law and School Board administration, as well as the duties now performed by the vestries and district boards, 13,819–22, 13,902–12, 13,935–8. The smaller parishes should be grouped, 13,822. Witness is not aware that municipal elections in the provinces are very largely determined by political considerations. This is certainly not the case in the City of London or altogether at Brighton, 13,823–9. Contested elections are not frequent in the City, but this is due to satisfaction with the way in which things are managed there, not to apathy, 13,830–5. Outside the City there is great apathy as regards local government, only politics arouse any interest in elections. The establishment of municipalities with a degree of dignity would develop a new interest and attraction by their novelty, importance,

FRASER, Mr. WILLIAM JOSEPH, Evidence of—*cont.*

and power, 13,836–53. The County Council does not arouse these feelings, but it has no mayor, 13,854–62. The new municipalities proposed should be constituted on the model of the City of London, with a mayor, aldermen elected for life, and common council elected annually by the wards, rather than on the plan of reformed Corporations under the Act of 1835, 13,863–82. The aldermen should be magistrates, with power to sit with the stipendiaries, 13,882–5. The control of the police should remain as at present, both in the City and outside, 13,886–9. As regards areas, there should be from seven to twelve municipalities, all larger than the City, which should be left as it is, with a Lord Mayor, aldermen, and councillors chosen as at present, but perhaps with a somewhat extended area, 13,890–901, 13,917–8, 13,923–7, 13,933–44. The Municipal Corporations' Association might well be legally constituted and given powers for the metropolis, 13,918–22. Witness thinks the County Council were actuated by political considerations in making the mistake of letting the Coal Dues drop, 13,928–32.

FREEDOM OF THE CITY OF LONDON. *See under* FREEMEN.

FREEMEN OF THE CITY OF LONDON:

The freedom of the City may be acquired in three ways:—

(1.) By patrimony or birth.

(2.) By apprenticeship or servitude.

(3.) By redemption (and gift) from the Court of Aldermen, *Kemp*, 4653; *Sewell*, 7105–16.

Strictly speaking only freemen are citizens, but non-freemen (corporators) have a vote for election of Common Councilmen, *Kemp*, 4654–8.

(1.) *Freedom by patrimony:*

Women may be free (sisters) of the City, *Kemp*, 4659-61; but they do not vote, except perhaps as householders paying scot and bearing lot, *Kemp*, 4666, 4667. Their children are not free unless their father is also a freeman, *Kemp*, 4670–3. The place of birth is immaterial, *Kemp*, 4671.

(2.) *Freedom by servitude:*

(*a.*) Must be obtained where there has been a breach of apprenticeship indentures.

(*b.*) Is conferred on strangers (by gift) for public services (honorary freedom).

(*c.*) Is obtained where the admission is by presentment by the Chamberlain, &c.

All these are obtained from the Court of Aldermen, but the consent of the Common Council is also required where the applicant is an alien or an alien's son, *Kemp*, 4674–84.

There are three phases: freeman of a company, freeman of the City, and liveryman of a company; distinction between them, *Sewell*, 7111–4.

It has not been necessary since 1830 for a person to be a member of a company to become a freeman, *Kemp*, 4685–90; *Sewell*, 7111–3. Since 1856 trading in the City has been free to everyone, *Kemp*, 4691–3.

A lad may be bound an apprentice within a company, and usually is, but he must be enrolled in the Chamberlain's Court, or his master cannot enforce his indentures after 12 months, *Sewell*, 7115–6.

Fees and fines on admission to freedom are applied to the maintenance of the Freemen's Orphan School, *Kemp*, 5387.

The customs of the City apply only to freemen, except those of market overt and foreign attachment, *Kemp*, 4694, 4695. The Lord Mayor's Court can disfranchise, *Kemp*, 4696–700. Privileges of freemen mainly in respect of charities, &c., *Kemp*, 4702–9. *Cf.* Nottingham, 3, vi.

FREEMEN'S ORPHAN SCHOOL. *See* Corporation 7 (Royal Hospitals, Schools, and Charities), *and under* MONTAGUE.

FULHAM PARISH:

Recently separated from Hammersmith for local government purposes, *Dickinson*, 1123; *Costelloe*, 13,964–6; *Munsey*, 13,387–8.

FULHAM UNION:

Parishes included in, *Costelloe*, 13,964–6.

Rating authorities for, *Dickinson*, 1228.

FULTON, SIR FORREST, Q.C., Common Serjeant of the City of London.

Analysis of Evidence.

Witness was appointed by the Crown in 1892 under the Local Government Act, 1888; previous experience at the bar, 7494–8.

Aldermen as Magistrates and Corporators:

The Lord Mayor presides daily at the Mansion House Justice Room, or in his absence an alderman who has passed the chair. At the Guildhall an Alderman sits as soon as he is elected, but for the first few months a senior colleague usually sits with him. Otherwise an Alderman generally sits alone, 7498–500. The Aldermen derive much legal knowledge from sitting at the Central Criminal Court; witness has had great assistance from Aldermen in trying commercial cases, 7501. Witness is in favour of the present mode of electing Aldermen in the City, as both democratic and good in its results. The Aldermen make excellent magistrates, 7502–5. Witness would not, however, extend the system to parishes outside the City, as the electorate is so different, that of the City being practically non-resident, 7506–20. There is a danger where a town council elects its own Aldermen for the majority so to manage things as to keep its side perpetually in power, 7521–33. Direct election of Aldermen for at least six years is preferable, 7534–8.

The Lord Mayor:

Witness highly approves of the mode in which the Lord Mayor is elected, which involves his having been elected Alderman, serving as such for many years, and his having been elected Sheriff with the approval of the Court of Aldermen. Their rejection of a Sheriff elect is very rare, 7539–49. The judicial functions of the Lord Mayor are very important, and witness would not relieve him of them to enable him to devote more time to municipal duties. These duties are already very heavy. No one man could cope with the work of the head of a monster municipality for all London, 7606–22.

The Mayor's Court:

The character of the Mayor's Court has greatly improved in recent years, though, partly owing to commercial depression, the amount of fees taken has diminished. But it has always paid its own way, 7550, 7551. There is no reason why it should not go on under any scheme of amalgamation side by side with the City of London Court (like the Courts of Liverpool and Manchester); it would not be well to merge the two in one, 7552–4.

The Local Government Act, 1888:

The clauses relating to London were passed almost without discussion by the Commons under the impression that it would be followed by a District Councils Bill safeguarding the interests of the City. This would not have happened if the character and behaviour of the London County Council had been foreseen, 7555–61.

Convenient practicability of amalgamation:

1. *As regards the Police:*

Amalgamation would mean the merging of the City Police in the Metropolitan Police, which would lead to neglect of the City, with disastrous results, though the government of both is now in the hands of practically independent commissioners. There is no conflict now between the two forces, all things go on very smoothly, and any change must be for the worse, 7562–79.

2. *As regards the City's Funds:*

The City would lose under amalgamation, and the freemen be prejudiced by the loss of exclusive rights to offices, almshouses, &c., for which they would require compensation, 7580–4.

3. *As regards the City Customs:*

The City customs could hardly fail to suffer under amalgamation, *e.g.*, market overt, which could not well be extended beyond the City boundaries, though there is no objection to its entire extension all over London. It could be saved to the City by a clause in any Amalgamation Bill, 7585–91.

FULTON, SIR FORREST, Q.C., EVIDENCE OF—*cont.*

4. *Right of the City to approach the Sovereign:*
This right is highly prized, though rarely exercised; it was last exercised in connexion with Sir W. Harcourt's Bill of 1884. It could hardly be preserved after amalgamation. The extension of the City has been checked by the Crown, which feared the power of a greater London, 7592–605.

5. *Generally:*
No good could result from the creation of a monster municipality, though the vestries might be reformed with advantage. The introduction of politics into municipal life, which would follow amalgamation, is greatly to be deprecated, 7622–30.

GAME, DEALERS IN, Licensing of:
This might to be in the hands of the local authorities, the central body being ultimate authority, *J. E. Smith*, 12,252.

GAS LIGHT AND COKE COMPANY. *See* GAS SUPPLY.

GAS SUPPLY:
In hand of private companies; three large, viz. Chartered Gas Light and Coke Company on north of river, South Metropolitan on south of river, and Commercial with small district on north of river, and four small, Putney and Wandsworth, Mitcham, Crystal Palace, and Brentford, *Dickinson*, 1206.

CONTROLLING AUTHORITIES:
(i.) *For the three large companies—*
(*a.*) *In City:*
Gas examiners appointed by Corporation, *Rotton*, 576; *Dickinson*, 1206–8.
General powers of Corporation, *Bridgman*, 1906–8.
(*b.*) *Outside City:*
Examiners appointed by County Council, *Rotton*, 576; *Dickinson*, 1206–8.
Over all, chief examiner appointed by Board of Trade, but paid by companies; his certificate final; penalties can be proceeded for on it, *Rotton*, 585–6. Referees and auditor appointed by Board of Trade, but paid, like chief examiner, by companies, *Rotton*, 576. 587–8. Functions of examiners and referees distinguished, *Rotton*, 577. Referees determine standard of pressure and purity; examiners test daily how far this standard is observed, *Rotton*, 578–86.
Powers of vestries under Gas Act of 1860 to complain to Secretary of State of quantity and quality supplied superseded by Act of 1868, *Rotton*, 593–605.
Sliding scale of prices based on 10 per cent. dividend and 3*s.* 9*d.* a 1,000 feet for Chartered Company, and 3*s.* 6*d.* for South Metropolitan, *Rotton*, 606–12. Auction clauses in respect of new shares, *Rotton*, 613.
(ii.) *For the four smaller companies—*
Examiners appointed by vestries and district boards, *Dickinson*, 1207–14.

GOMME, MR. GEORGE LAURENCE, Statistical Officer of the London County Council.

ANALYSIS OF EVIDENCE.

1. DIVISION OF PARISHES OUTSIDE CITY INTO WARDS. MODE OF CALCULATION:
The number of vestrymen properly to be apportioned to the parish having been ascertained, they are apportioned between the wards, first according to the number of rated householders, then according to rateable value; the mean of the numbers is taken and the nearest number to it divisible by three is the number of vestrymen for each ward, the number must be divisible by three, because one-third retire every year, 1104–10. Witness gives mathematical illustration of mode of calculating, 1111–8.

GOMME, MR. G. L., EVIDENCE OF—*cont.*

2. FINANCE OF THE CORPORATION:
As statistical officer of the London County Council witness has prepared a memorandum on the accounts of the Corporation and the rating authorities (other than poor law) of the City of London for the four years 1889, 1890, 1891, and 1892, based upon the accounts of the City Chamberlain, and checked by the Local Taxation Returns made to the Government, 3525–31. His object has been rather to re-arrange figures than to present anything new or additional, 3532.

(1.) *Plan of Analysis*, 3533–92.

To show the expenses of the Corporation for the period, and the revenues out of which they were met, viz.:—
(i.) *Net revenues* (*c*) from real and funded property and dues and duties, after deducting from the gross revenues (*a*) the charges for collection and management, rents, rates, and taxes, bequests, &c. (*b.*)

e.g., in—

—	1889.	1892.
	£	£
(*a*)	645,691	298,794
(*b*)	−44,851	−31,561
(*c*)	600,840	267,233

3535, 3545–55.

(ii.) *Charges on net revenues* (*d*), investments (*e*), and debit (+) or credit (−) balances (*f*) carried forward to next year.

e.g., in—

—	1889.	1892.
	£	£
Brought forward (*c*)	600,840	267,233
(*d*)	−531,610	−121,266
	69,230	141,967
(*e*)	—	+7,880
(*f*)	+76,815	−12,486
Carried forward	146,045	137,361

3536–44.

(iii.) Increase of revenue by net receipts from *remunerative undertakings* (markets) (*g*), allowing for investments (*h*), and debit (+) or credit (−) balances carried forward to next year (*i*).

e.g., in—

—	1889.	1892.
	£	£
Brought forward	146,045	137,361
(*g*)	+1,095	+1,160
	147,140	138,521
(*h*)	—	—
(*i*)	+3,740	+10,249
Carried forward	150,880	148,770

3556–67.

GOMME, Mr. G. L., Evidence of—*cont.*

2. (1.) *Analysis of the Accounts of the Corporation*—cont.

(iv.) Application of balances of revenue to *permanent works* (*n*), after allowing for receipts in aid of expenditure (*k*), and investments (*l*), and debit (+) or credit (—) balances carried forward to next year, or to reserve fund (*m*).

e.g., in—

——	1889.	1892.
	£	£
Brought forward - -	150,880	148,770
(*k*) - -	+61,696	+52,155
	212,576	200,925
(*l*) - -	—	—
(*m*) - -	—11,018	+59,144
	201,558	260,069
(*n*) - -	—56,952	—115,644
Carried forward - -	144,606	144,425

3567–71.

(v.) Application of balances of revenue to *justice and police* (*r*), after allowing for receipts in aid of expenditure (*o*), investments (*p*), and debit (+) or credit (—) balances carried forward to next year (*q*).

e.g., in—

——	1889.	1892.
	£	£
Brought forward - -	144,606	144,425
(*o*) - -	+26,140	+29,499
	170,746	173,924
(*p*) - -	—600	—4,604
(*q*) - -	—244	—2,350
	169,902	166,970
(*r*) - -	—66,173	—73,004
Carried forward - -	104,929	93,966

3571–3, 3578–91.

(vi.) Application of balances of revenue to *administrative purposes* (*t*), after allowing for receipts in aid of expenditure (*s*).

e.g., in—

——	1889.	1892.
	£	£
Brought forward - -	104,929	93,966
(*s*) - -	+841	+652
	105,770	94,618
(*t*) - -	—46,294	—49,535
Carried forward - -	59,476	45,083

3574–6.

(vii.) Application of balances of revenue to *mayoralty and civic purposes* (*v*).

e.g., in—

——	1889.	1892.
	£	£
Brought forward - -	59,476	45,083
(*v*) - -	—29,990	—41,133
Carried forward - -	29,486	3,950

3576, 3577.

GOMME, Mr. G. L., Evidence of—*cont.*

2. (1.) *Analysis of the Accounts of the Corporation*—cont.

(viii.) Applications of balances of revenue to *optional purposes* (schools, &c.) (*y*), after allowing for receipts in aid of expenditure (*x*), with the ultimate surplus (±) or deficit (—), resulting (3).

e.g., in—

——	1889.	1892.
	£	£
Brought forward - -	29,486	3,950
(*x*) - -	+39,617	+47,826
	69,103	51,776
(*y*) - -	—68,461	—73,246
(3) Ultimate surplus (+) or deficit (—) - -	+642	—21,470

3577.

(2) (a.) *Results of the Four Years Transactions on Balances.*

	£
In 1889, surplus balance of -	+ 642
In 1890, deficit balance of -	—19,600
In 1891, deficit balance of -	—33,574
In 1892, deficit balance of -	—21,470
Net deficit balance in the four years - -	—74,002*

* *See Payne*, 6712–65, 7022–31. (38,206*l.* instead of 74,002.)

Met as follows, by—

	£
(i.) Reduction of balances -	38,206
(ii.) Transfer from Reserve Fund	28,821
(iii.) Sales of property - -	6,985
	£74,002

3592–3646.

(b.) *Net Amounts falling upon the General Estates and Funds of the Corporation.*

1889.—174,654*l.* out of 178,680*l.*, leaving 4,026*l.* to be met out of market profits, profits of the City of London Court, balances of previous years, sales of property, and transfers from the reserve fund.

1890.—189,827*l.* out of 223,657*l.*, leaving 33,830*l.* to be met as above.

1891.—172,451*l.* out of 222,029*l.*, leaving 49,578*l.* to be met as above.

1892.—174,715*l.* out of 206,741*l.*, leaving 32,026*l.* to be met as above, 3634–46.

(3.) *Special Items of Expenditure and Account*, 1889–92.

(a.) *Investments*, 3647–84.

(i.) Out of general funds, 3648–74.
(ii.) ,, interest.
(iii.) ,, grain duty, 3675–8.
(iv.) ,, Gresham Estates, 3678–80.
(v.) ,, Bridge House Estates, 3680.
(vi.) ,, Holborn Valley Improvement Fund, 3680.
(vii.) ,, City of London Court, 3680–4.

(b.) *Exceptional Expenditure*, 1889–92.

(i.) Leadenhall Market Approach (1889).
(ii.) Mansion House drainage works (1889).
(iii.) Guildhall, new offices (1890).
(iv.) Council Chamber alterations (1889–1890).
(v.) Education, works at schools (1891 and 1892).
(vi.) Parks, purchase of lands, &c. (1891 and 1892)
(vii.) Billingsgate buildings (1889, 1890, 1891, and 1892).
(viii.) Mayor's Court, new offices (1889, 1890, and 1891).
(ix.) Investments (1890 and 1891).

GOMME, Mr. G. L., Evidence of—*cont.*

2. (3.) (b.) *Exceptional Expenditure of the Corporation*, 1889–92—cont.

Making a total of—

	£
In 1889	16,790
1890	21,425
1891	13,498
1892	12,957, 3685–91.

Besides charges upon the general estates in respect of debt for—

(i.) Leadenhall Market Approach (1889, 1890, 1891, and 1892).

(ii.) Holborn Valley Improvement (1890, 1891, and 1892).

(iii.) Investments (grain duty sinking fund), (1890 and 1891).

Making a total of—

	£
In 1889	5,208
1890	37,143
1891	32,518
1892	22,418, 3691–5.

(4.) *Comparison of the three deficit Years* 1890, 1891, *and* 1892, *with the surplus Year* 1889, 3696–712.

(5.) *Estates and Funds at the disposal of the Corporation (including Receipts in aid of Expenditure), and Expenditure thereout.*

Expenditure by order of—

(i.) The Court of Common Council.

(ii.) The Court of Aldermen, as follows:—

	1889.	1890.	1891.	1892.
	£	£	£	£
1. Expenditure by Court of Common Council.	216,883	265,077	266,894	256,100
Less receipts in aid	58,722	58,687	60,174	66,130
Net expenditure by Court Common Council.	158,161	206,390	206,720	189,970
2. Expenditure by Court of Aldermen.	19,866	16,624	16,344	17,355
	178,027	223,013	223,064	207,326
Less receipts from General Estates.	158,555	173,785	157,768	160,569
Deficit met by sales, &c.	19,472	49,228	65,296	46,757

3713–54.

(6.) *Interest on Cash Balances and Securities.*

Derived from—

(i.) Interest on securities invested by and belonging to the Corporation, viz:—

	£
1889	4,093
1890	3,842
1891	4,161
1892	4,284

(ii.) "Profit on the employment at interest of "floating balances in the Chamber," the Chamberlain acting as treasurer not only of the Corporation accounts, but also of the City trust accounts, those of the Police Commissioners, and the City Commissioners of Sewers, viz.:—

	£
1889	11,817
1890	12,030
1891	10,400
1892	9,727, 3755–86.

The Chamberlain makes the Commissioners of Sewers and the Police Committee no charge for acting as their banker and keeping their accounts, 3757–75.

(7.) *Markets.*—The markets (not being trust properties) under the management of the Corporation are:—

London Central.
Leadenhall.
Metropolitan Cattle (Islington).
Smithfield Hay.
Billingsgate Fish.
Farringdon.

GOMME, Mr. G. L. Evidence of—*cont.*

2. (7.) *Markets, Receipts, and Expenditure*, 1889–92—cont.

	1889.	1890.	1891.	1892.
	£	£	£	£
Receipts in the four years	159,065	162,325	166,511	171,500
Expenditure „ „	65,565	60,066	64,806	70,930
Balance remaining available for service of loans.	93,500	102,259	101,705	100,570
Expenditure on loans (interest only).	88,665	88,913	88,867	89,161
*Balance (applied to general purposes of the Corporation).	4,835	13,346	12,838	11,409

* Application of balance, *See Payne*, 6985.

No part of the debt of 2,509,000*l.* outstanding against the markets was repaid in these years out of the market proceeds, 3787–3810.

(8.) *Reserve Fund.*

This, according to the report of Mr. Hicks, chairman of the Special Finance Committee of the Corporation, in 1889, originally consisted of 500,000*l.*, put aside in the years following 1857, to meet the loss occasioned by the expiration in 1867 of the beneficial leases, of the value of some 40,000*l.* a year, of the Finsbury estate, held by the Corporation from the Ecclesiastical Commissioners, which the latter refused to renew, 3810–51, 3901–9.

By 1869 the fund had been reduced by expenditure upon objects of general utility and ornament to 52,315*l.*, and by the end of 1892 to 875*l.* In the four years under review it merely served the purpose of a transfer account between the Holborn Valley Improvement account and the City's general cash account, 3810–2.

(9.) *Charges for Debt on General Estates.*

(*a.*) Loans charged directly upon the Corporation estates, viz., outstanding in 1892:—

	£
Highgate Woods	5,000
Leadenhall Market Approach	148,800
Pauper Lunatic Asylum	8,000
Metropolitan Cattle Market (part)	78,600
Total	240,400

	£
Charge payable in 1893—	
For interest	8,163
For repayment of principal	36,000
Total	44,163

(*b.*) Loans charged primarily upon market rents and dues, and only ultimately upon the corporate estates, viz., outstanding in 1892:—

	£
(i.) Metropolitan Cattle Market	400,000
London Central Markets	1,742,000
Billingsgate Market	268,000
Leadenhall Market	99,000
Total	2,509,000

	£
Income available to meet interest and sinking fund	100,000
Charge for interest (1893)	85,783
Balance applicable to reduction of debt	14,217

	£
(ii.) Deptford Cattle Market loan (trust), outstanding in 1892	76,000
Income available to meet interest and sinking fund	22,000
Charge for interest only	2,660
Balance available for sinking fund of this and other market loans	19,340

	£
Total debts on markets	2,585,000

GOMME, Mr. G. L., Evidence of—*cont.*

2. (9.) *Charges for Debt on General Estates*—cont.

Total annual amount available for sinking fund - - - - - 33,557

which would leave in 1907, when the last of the existing bonds fall due, a debt of 1,805,992*l.* still outstanding, assuming that the unpaid principal were reborrowed at 3 per cent., 3852–96.

If the whole free income of the markets were then applied to the charge for debt, it would not all be extinguished till 1927.

This calculation assumes that the present rents are upheld, and that there is no extraordinary expenditure on the markets, whereas for the last four years this has averaged nearly 25,000*l.* a year, 3852–900.

(10.) *Trust and Statutory Funds.*

(*a.*) Where the property is devoted exclusively to the object of the trust.

(i.) *The Gresham Estates:*

These estates are enjoyed by the Corporation under the will of Sir Thomas Gresham (1575), who divided his estates equally between the Mercers' Company and the Corporation.

The charges upon the Corporation's moiety are—
(1.) The Royal Exchange.
(2.) Gresham College.

——	1889.	1890.	1891.	1892.
	£	£	£	£
Revenues (rents) - - -	8,915	9,908	9,385	9,660
Expenditure - - -	10,986	9,914	8,606	9,054
Balance { Credit	—	—	759	606
Balance { Debit	2,071	6	—	—

3913–32–34.

(ii.) *The Bridge House Estates:*

These estates were derived from grants from the Crown, gifts from individuals, and purchases out of savings of the revenues. Much of the money was raised by the preaching of Peter of Colechurch on the first building of London Bridge. The fund is administered as a trust for Blackfriars, Southwark and the Tower Bridges under recent Acts.

——	1889.	1890.	1891.	1892.
	£	£	£	£
Revenues (rents, &c.) - -	91,096	92,261	96,424	94,300
Expenditure - - -	77,184	76,344	75,332	83,300
Balance of revenue -	14,812	15,917	21,082	11,000

3933, 3935–64.

(iii.) *The Coal Duty:*

James I., in 1606, granted a charter confirming the right exercised by the Corporation from time immemorial of measuring all coals brought into the port of London by water, and charging fees therefor. This was further confirmed by Acts of William and Mary and George IV., which raised the dues to 1*s.* 1*d.* a ton. Under these and subsequent Acts, 9*d.* out of the 1*s.* 1*d.* was applied to the Thames Embankment and Metropolitan Improvement Fund, the remaining 4*d.* being primarily applicable to the Holborn Valley improvement and Farringdon Market improvement loans. The cost of freeing Kew and other bridges was, in 1869 and 1874, charged upon the coal dues.

The dues were discontinued by an Act of 1889, as from the following year.

GOMME, Mr. G. L., Evidence of—*cont.*

2. (10.) (iii.) *The Coal Duty*—cont.

By the end of 1891 there remained in the hands of the Corporation a small balance of 496*l.*, which was in 1892 transferred to the Holborn Valley improvement account, 3965–81.

(iv.) *The Coal Market:*

This market was established in the Coal Exchange under the Act 43 Geo. III. c. cxxxiv., which authorised the Corporation to levy a duty of ½*d.* a ton to defray the market expenses. The duty was raised to 1*d.* by an Act of the following year, confirmed by the Act 1 & 2 Will. IV. c. lxxvi. The duty ceased, so far as the coal market was concerned, under the Act 1 & 2 Vict. c. ci.

The revenues of the market are applicable in the first instance to the defrayal of the market expenses. Any surplus has to be invested apart from the general funds of the Corporation.

There was a deficit in three out of the four years under review as follows:—

——	1889.	1890.	1891.	1892.
	£	£	£	£
Revenue (rents) - -	2,302	2,080	2,083	2,070
Expenditure - -	1,732	3,159	2,464	2,229
Balance { Credit	570	—	—	—
Balance { Debit	—	1,079	381	159

A deficit apparently falls on the general estates of the Corporation, 3982–94.

(v.) *The Clerkenwell Improvement:*

This work, carried out under the Acts 13 & 14 Vict. c. 103. and 14 & 15 Vict. c. 120., is now finished, and the Corporation has only to deal with the surplus lands.

These produced surpluses in 1889 of 9,174*l.*, 1890, 6,254*l.*, 1891, 25,087*l.*, 1892, 9,190*l.*, which were carried through the reserve fund to the Holborn Valley improvement account. The lands are now all let or sold, so there will be only rents to receive in future, 3995–4015.

(vi.) *City of London Court:*

The surplus proceeds of this court go to the general account of the Corporation, from which any deficit would be made good. The fees charged in the court are not fixed by the Corporation. The investments at the end of 1892 amounted to 50,658*l.*, 4016–9.

(vii.) *The Blackfriars Bridge Estate:*

This estate consists of the surplus lands remaining after the construction of Blackfriars Bridge and its approaches under the Act 26 & 27 Vict. c. lxii. and 30 Vict. c. iii. It is now only charged with certain taxes, and balances have accrued to the estate in the four years to the extent of 3,231*l.*, making the total unapplied balance at the end of 1892, 5,900*l.*, 4020–31.

(viii.) *The Holborn Valley Improvement:*

This work was carried out by the Corporation under Acts of 1864, 1867, 1869, and 1872, the loans raised for its construction (1,715,000*l.*) being primarily charged upon the City's 4*d.* duty on coals, which ceased in 1890. 482,000*l.* is still outstanding, the interest and repayment of which falls upon the general estates of the Corporation, 4032–7.

(ix.) *The Deptford Cattle Market:*

This market was erected by the Corporation under the Act 32 & 33 Vict. c. 70. at a cost of 382,500*l.*, which was raised by loan, 76,000*l.* being still outstanding. This is being repaid out of the net revenues of the market, any surplus beyond being applicable to the repayment of the amounts borrowed by the Corporation for the Metropolitan Cattle Market, and, after that

GOMME, Mr. G. L., Evidence of—*cont.*

2. (10.) (ix.) *The Deptford Cattle Market*—cont.

is paid off, to Corporation purposes generally. In the period under review, 25,000*l.* of debt was paid off, leaving a balance of 8,226*l.* to be added to the existing balance of 556*l.* The debt will probably be extinguished by 1897, and there will then be a surplus available for the Islington Market debt, 4038–56.

(x.) *The Grain Duty:*

This duty is levied under a continuing Act of 1872. It consists of three-tenths of 1*d.* per cwt. for metage, and is charged with the cost of preservation and maintenance of open spaces in the neighbourhood of London, but not within the Metropolis.

—	1889.	1890.	1891.	1892.
	£	£	£	£
Revenue (duty) - -	18,128	18,634	15,864	18,096
Expenditure - - - -	17,308	19,453	16,907	16,860
Balance { Credit -	820	—	—	1,236
Balance { Debit -	—	820	1,043	—

4057–72.

(xi.) *Parks and Open Spaces:*

The balances not applicable to the general purposes of the Corporation are derived from the Epping Forest account, created under the Act 41 & 42 Vict. c. ccxiii., and the Ward's People's Recreation Ground (Queen's Park, Kilburn) account, the latter fund consisting of 20,085*l.* Consols; but in neither case does the revenue meet the expenditure, the balance being provided out of the general account of the Corporation, 4073–9.

Summary, 4080–85.

(11.) *Charges for Debt on Trust and Statutory Funds*, 4085–100.

—	Debt now outstanding.	Will be repaid by 1902.	Outstanding, 1902.	Deduct Assets.	Net Debt falling on Corporate Estates.
	£	£	£	£	£
(i.) Holborn Valley Improvement.	482,000	—	507,245	77,813	429,432
(ii.) Tower Bridge	1,060,000	(Revenues sufficient to meet charges.)			
(iii.) Parks and Open Spaces.	214,000	24,630	189,370	—	189,370
(iv.) Royal Exchange.	62,700	(Revenues sufficient to meet charges.)			
(v.) Deptford Cattle Market.	76,000	(Revenues sufficient to meet charges.)			
Total contingent charge on Corporate Estates -					£618,802

4085–100.

(12.) *Estimate of Total Debt falling on the General Estates of the Corporation.*

Assuming that the Market debt is met by Market revenue, the debt falling on the general estates may be estimated as follows:—

	£
Holborn Valley Improvement -	429,432
Parks and Open Spaces - -	189,370
Metropolitan Cattle Market -	78,600
Highgate Woods - - -	5,000
Leadenhall Market Approach -	148,800
Pauper Lunatic Asylum - -	8,000
Total - -	£859,202

If these loans were made repayable in 30 years, at 3 per cent. interest, the revenues of the Corporation would be insufficient—after paying current expenditure—to meet the charge for them by nearly 33,000*l.* a year. If they were made repayable in 50 years the accounts would just balance, 4101, 4102.

GOMME, Mr. C. L., Evidence of—*cont.*

2. (13.) *Classification of Annual Expenditure.*

—	1889.	1890.	1891.	1892.
	£	£	£	£
(i.) Exceptional (Capital) Expenditure, 4139-43.	492,600	120,750	72,139	117,148
(ii.) Ordinary expenditure, viz :—				
(*a.*) Expenditure on account of undertakings charged upon the estates, 4143, 4144 - - -	5,203	37,143	32,518	22,418
(*b.*) Expenditure upon remunerative undertakings (markets), 4144-8	215,848	212,685	218,552	221,791
(*c.*) Expenditure, so far as it is met by its own earnings (fines, fees, and other receipts), 4149-75 -	68,513	69,412	68,856	74,698
(*d.*) Expenditure falling on the Corporation revenues and properties, 4176-200 - - -	233,159	239,485	252,151	252,855
	1,015,323	680,484	644,216	691,308
(iii.) Cost of collection and management - - -	44,852	40,484	33,269	31,561
Total - - -	1,060,180	720,969	677,485	722,870
Total of ordinary current expenditure of the Corporation (*b*, *c*, and *d*) - - -	517,520	521,581	539,540	547,652

(14.) *Differentiation of City and County Expenditure of the Corporation.*

—	1889.	1890.	1891.	1892.
	£	£	£	£
(*a.*) Ordinary expenditure upon City purposes, 4201-33.	128,040	134,762	143,143	143,153
(*b.*) Ordinary expenditure upon county purposes, viz.:—				
(i.) Services concurrent with those of the County Council, 4233-56.	24,503	27,522	28,197	28,803
(ii.) Services of similar nature to those of the County Council, 4256.	83,235	82,454	80,785	94,870
(iii.) Services whose range of influence is beyond the City area, 4256-74.	281,742	276,843	287,405	290,826
Total County - - -	389,480	386,819	396,397	404,499
Grand Total as above (Table 13)	517,520	521,581	539,540	547,652

The net result is that about 74 per cent. of the expenditure of the City is upon what might roughly be considered as county purposes, 4257–64.

(15.) *Estimated Financial Effect of Amalgamation.*

(*a.*) Partial amalgamation, *i.e.*, transfer of county services only and revenues relating thereto. This would mean leaving the City to meet an expenditure of about 140,000*l.* a year, out of revenues amounting to nearly 200,000*l.* a year, leaving them with a surplus of nearly 60,000*l.* a year, while the county would have a revenue of less than 350,000*l.* to meet charges (including 44,000*l.* for debt) of nearly 450,000*l.*, or a deficit of 100,000*l.* to be met out of rates, 4264–90.

* (*b.*) Complete unification. Under this the expenditure to be transferred to the county would be—

	£
(1.) The net amount now falling upon the Corporation estates and revenues as ordinary current expenditure, say	592,000
(2.) Certain county services now under the control of the Commissioners of Sewers, police, &c., say -	12,000
(3.) Police, now under control of the Commissioner of City Police, say -	91,000
Total -	£695,000

* *See Payne*, 6772–83.

To meet this expenditure there would be—

	£	£
(1.) Present revenues from Corporation estates and funds - -		542,000
(2.) Increased revenues from—		
(i.) Bridge House and Blackfriars Bridge estates - -	14,000	
(ii.) City of London Court - -	7,500	
		21,500
Total Revenue -		£563,500
Total Expenditure -		£695,000
Deficit - -		£131,000

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GOMME, Mr. G. L., Evidence of—*cont.*

2. (15.) *Estimated Financial Effect of Amalgamation*—cont.

To meet this deficit there would have to be levied—

	£
(3.) A new police rate - -	91,500
*(4.) A new county rate ($2\frac{3}{10}$*d.* in £) -	40,000
	£131,500

* *See Payne*, 6830–926, 7006–10.

4291–363.

16. *Expenditure on behalf of Freemen of the City.*

	Per annum. £
(1.) Pensions to widows, say - -	750
(2.) Orphan school, say - - -	7,000
(3.) Almshouses, say - - -	2,250
Total -	£10,000

4363–8.

17. *Bequests payable out of the Corporate Funds.*

These are chargeable as follows:—

	Per annum. £
(i.) General estates, say - -	1,000
(ii.) Gresham estates, say- - -	450
(iii.) Miss Bathus's bequest and Admiral Duff's legacy - -	50
Total -	£1,500

Besides these there are 19 scholarships of the annual value of about 800*l.* attached to the City of London School, 4369–87.

18. *The Loan Account.*

This account shows that out of 7,057,400*l.*, borrowed by the Corporation for various purposes since 1864, 2,025,600*l.* has been repaid, leaving 5,031,800*l.* still outstanding. The money has been raised by Corporation (Mortgage) Bonds, and the average rate of interest payable is 3·42 per cent., 4388–408.

Comments on Mr. Blake's evidence, 10,682–5.

GRAIN DUTY, THE:
Levied by Corporation under an Act of 1872, three-tenths of a penny charged for metage; the proceeds go to defray expenses of open spaces within neighbourhood of London, but not within the Metropolis. Revenue and expenditure, 1889–92, *Gomme*, 4057–72. The proceeds of the duty fell off in 1884, consequent appropriation of the commutation of fines for renewal of leases on the Conduit Mead estate as sinking fund to the loan for open spaces, *Payne*, 6929–31, 6985, 7040–41; *Kemp*, 5341–81.
See also CORPORATION, 4 (Finance) (10) (x.) and 6 (Property) (*g*).

GRAY'S INN. Extra-parochial:
In the Holborn county and parliamentary division, *Costelloe*, 13,978–80.
Rating authorities in, *Dickinson*, 1228.

GREENWICH UNION:
Rating authorities in, *Dickinson*, 1228.
Parishes included in, *Costelloe*, 13,985.

GRESHAM ALMSHOUSES:
History and management of, *Kemp*, 5534–9.

GRESHAM COLLEGE:
History and management of, *Kemp*, 5223–313.

GRESHAM ESTATES:
Under Sir Thomas Gresham's will his estates were equally divided between the Corporation and the Mercers' Company, the former apply their moiety to support the Royal Exchange and Gresham College, *Gomme*, 3913–32.
Revenues and expenditure, *Gomme*, 3913–32, 3934; *Kemp*, 5223–315; *Payne*, 6228, 6229.
Investments out of, *Gomme*, 3678–80.
See also Corporation (*d*), 6. (Property), and 4. (Finance) 10 (i.)

GUARDIANS OF THE POOR:
A.—Functions of, as regards—
(i.) *Rating.* *See* Rates, Rating Authorities, *and* Vestries, &c., C. 2 (*b*).
(ii.) *Registration of births, deaths, and marriages.* *See* Authorities *and* Vestries, &c. C. 2 (*b*).
(iii.) *Vaccination.* *See* Table (A) of Authorities at end of Index, and Vestries, &c., C. 2 (*b*).
B.—Qualifications for candidates and electors. *See* Table (B) of Qualifications at end of Index.

GUILDHALL JUSTICE ROOM:
Evidence relating to. *See* SAVILL and DOUGLAS. *See also* ALDERMEN, JUDICIAL DUTIES OF, A. (c.) 1 (ii.). *See also* POLICE COURTS, 1 and 3.

GUILDHALL LIBRARY, MUSEUM, AND ART GALLERY:
Management of, *Kemp*, 5387–96.
Expenditure on, *Gomme*, 3577.

GUILDHALL SCHOOL OF MUSIC:
Establishment and history of, *Kemp*, 5467–73.
Expenditure on, *Gomme*, 3577.

HACKNEY AND STAGE CARRIAGES:
(1.) *Carriages and drivers* licensed throughout Metropolitan Police District by Commissioners of Metropolitan Police, *Rotton*, 394–9.
(2.) *Stands for carriages* plying for hire settled—
(*a*) outside City, by Police Commissioner.
(*b*) inside, by Lord Mayor and Court of Aldermen, *Rotton*, 400–4.

HACKNEY MARSHES:
Recently acquired by the County Council as an open space, *Dickinson*, 1297.

HACKNEY PARISH:
Was recently separated from Stoke Newington for Local Government purposes, *Dickinson*, 13,652; *Costelloe*, 13,962–4; *Munsey*, 13,380–5.

HACKNEY UNION:
Parishes included in, *Costelloe*, 13,962–4.
Rating authorities in, *Dickinson*, 1228.

HALL, SIR CHARLES, K.C.M.G., Q.C., M.P., Recorder of London.

Analysis of Evidence.

The Recordership:

1. *Election:*
The Recorder of London is elected by the Court of Aldermen, but under the Local Government Act, 1888, the consent of the Crown is necessary before he can exercise judicial functions, 7357–61. In other towns the Recorder is appointed by the Crown, but paid by the corporation, 7362, 7363.

2. *Functions:*
Judicial:
The Recorder is the senior law officer and adviser on judicial matters of the Corporation, and represents the Lord Mayor and Aldermen in their judicial capacity; as such he presides over the Court of Hustings and the Mayor's Court, 7364, 7365.
Certifying Customs:
He has also the important duty, confirmed by charter, of testifying (orally) as to the custom of the City of London. Procedure in such cases: the draft statement is always submitted to the Court of Aldermen, and signed by a majority of them, before it is read out by the Recorder in the court of law which has sent the reference by writ of certiorari, 7365–72. The Recorder's oral certificate is conclusive in such cases, 7376–80. The last instance of the exercise of this privilege was in 1876, upon the custom of foreign attachment, which was held good by the Court, provided that the ancient custom was literally adhered to, 7373, 7384, 7385. The custom of market overt has never been disputed, 7374, 7375.
The Mayor's Court, statement of business:
Witness has discouraged suitors proceeding in the Court for amounts under 10*l.*, which

HALL, SIR CHARLES, K.C.M.G., Q.C., M.P., EVIDENCE OF—*cont.*

could be more properly tried in the County (City of London) Court, 7387, 7388. In uncontested actions the fees are even lower in the Mayor's Court than in the County Court; in contested actions going for trial the difference in fees is slight; but counsel must appear in the Mayor's Court as at some quarter sessions, which saves much time, 7389–99. The cases are mainly commercial, and often for large amounts. The jurisdiction is unlimited where the cause of action has arisen entirely within the City, 7399–402. Suitors get a jury of 12, or a special jury if necessary. The juries come up to a very high standard, 7403–6. The Mayor's Court is not as profitable to the Corporation as the City of London Court, 7407–9. The business of the former is now increasing, mainly owing to the rapidity with which it is got through, owing to recent arrangements; and the fees are also growing, though they are not as high now as they were a few years ago before 10*l.* actions were discouraged, 7410, 7411. The Court sits in the Guildhall. It has not Admiralty jurisdiction, but tries shipping cases by consent, 7412–4. The jurisdiction of the Lord Mayor and Aldermen in the Mayor's Court or Old Bailey sessions is hardly more than nominal, 7415, 7416.

As Legal Adviser of the Corporation:

The Recorder has a good deal of work; his opinion may be given upon a written case, drawn up by the solicitor, or orally in the Court of Aldermen, or Common Council, in connexion with appeals under the Police Acts, &c., 7417–34. For such advice he would get no fees, and probably not for appearing as counsel for the corporation if required to do so, 7435–42.

Aldermen as Magistrates and as Corporators:

Witness thinks very highly of Aldermen as magistrates, and has found them of great assistance in trying commercial cases, 7443, but he would not extend the system of aldermen as magistrates to other towns, as commercial cases would not be so numerous as in the City, 7468–71. At the Central Criminal Court, which is always opened by the Lord Mayor, one Alderman besides the Judge must be sitting, 7444–7. Witness thinks the present mode of electing Aldermen as good as possible, as it ensures their having had experience of the right sort, though it cannot be said that the leading bankers and merchants of London are well represented on the Court, 7483–93. It is better than the selection of magistrates by the Lord Chancellor or the election of Aldermen by the Town Council, as in other municipalities, 7448–63, 7472–82.

HALLKEEPER of the Court of Common Council, duties, &c. of, *Harrison*, 996–8.

HAMMERSMITH recently separated from Fulham for local government purposes, *Dickinson*, 1123; *Costelloe*, 13,964–6; *Munsey*, 13,387, 13,388.

HAMMERSMITH BRIDGE. *See* BRIDGES.

HAMPSTEAD, ST. JOHN:
Area, &c. of parish, *Costelloe*, 13,956–62.
Rating authorities in, *Dickinson* 1228.

HARRIS, MR. HENRY PERCY, Member of the London County Council.

ANALYSIS OF EVIDENCE.

Witness agrees in the necessity of having a central body and local bodies in London, 13,041–3.

Constitution of the Central Body:

Witness would sever the connexion between the central body and the parliamentary divisions, and divide each municipal district into wards, each returning a councillor to the central body, the numbers of which should be increased, and its duties diminished, to relieve the present pressure of work, 13,044–53.

The present mode of electing aldermen, while securing some valuable members, intensifies the disproportion of parties on the Council, thus there are altogether 102 progressive members, councillors, and aldermen, and only 35 moderates, instead of their being in the proportion of six to five, as the votes given were; proportionate representation would be an advantage, and go far to do away with witness's objections to the election of aldermen, whom he would otherwise retain, 13,054–64.

Constitution of the Local Bodies:

The county of London should be divided into municipal districts of considerable size, preserving natural historical areas as far as possible. For each there should be a municipal corporation, with mayor, preferably but not necessarily aldermen, and councillors. The aldermen should be elected for six years and the councillors for three by and from the parochial electors, as settled by the Act of 1894. The districts should be divided into wards, each electing an alderman and a number of councillors according to its population and rateable value jointly. The mayor should be elected by the Council from the aldermen or councillors or persons qualified to be such, 13,065–8, 13,072–87, 13,098–9.

Functions of the Local Bodies:

The local bodies should exercise the powers and duties now vested in vestries and district boards, commissioners of baths and libraries, burial boards, churchwardens (except as regards Church affairs and ecclesiastical charities), overseers as regards assessments, rating, registration of voters and preparation of the jury lists, and those of County Council as regards the licensing, &c. of slaughter-houses and cowhouses and offensive businesses, petroleum, infant life protection, the administration of parts of the Building Acts, temporary closing of roads, gas and water supply, juries, electric lighting, weights and measures, sale of cattle, shop hours, factories' inspection, small open spaces, subways, small holdings, and technical education, 13,068–71. The local bodies could not claim as complete independence as a provincial corporation, they must have a central body over them—a county council or corporation of London to deal with Metropolitan matters, 13,088–97.

The City of London:

The City should have a corporation like the other districts, perhaps constituted as at present—unless the City electors wished otherwise—but shorn of any powers that would conflict with those of the communities outside, 13,100, 13,136–46. The head might still be called Lord Mayor, if the central body remained, as witness would suggest, a county council with a lord lieutenant as its titular head, 13,101–6. If this were done there might have to be some re-adjustment of financial and other relations by agreement between the City Corporation and the County Council, as contemplated in the Act of 1888, 13,107–9. The principles of the Municipal Corporations Act of 1835 could not be applied without modification to London because of its size, which necessitates there being local bodies as well as a central body, 13,010–5. The head of the central body as well as the heads of the City Corporation and the other local authorities might entertain; perhaps the first would best exercise hospitality on behalf of London as a whole, 13,016–27. The City Authority might retain the City bridges now maintained out of the Bridge House Estates Trust Funds, its present open spaces, Epping Forest, &c., and the markets within the City area, 13,128–39. The central body should be the Port Sanitary Authority, 13,143; it should have the same power of stepping in in cases of default as it would have over the other local bodies, 13,147.

HARRISON, Mr. CHARLES, Vice-Chairman, and DICKINSON, Mr. WILLOUGHBY HYETT, Deputy Chairman, of the London County Council.

A.—Preliminary Analysis of Evidence.

Witnesses are respectively Chairman and Member of the Committee appointed to represent the County Council before the Commission, 808–11. The Committee consists of the Chairman, Vice-Chairman, and Deputy-Chairman, and four members of the Council, 812. Witnesses have authority to represent the Council before Commission with full delegation of powers, 813–8. The reference to the Committee, 818. Any member of the County Council may attend the Committee meetings and speak (but not vote); in matters of difficulty the Committee would have recourse to the Council's opinion, 819–25.

B.—Two Statements of County Council handed in, viz.,

(I.) "Showing powers and expenses which run "through Administrative County of London, "and those which do not extend to City."

(II.) "Present powers and duties of London County Council," 826, 827.

See Appendices VI. and VII.

I.—FIRST STATEMENT, SUBSTANCE OF.

The Administrative County of London includes the County of London and the County of the City of London, 832–9. The County Council considers the object of the Commission to be to inquire how it is possible to unify the County of London and the County of the City of London, the City retaining privileges as a parish or district, 840–50. There are now exercised in the City many functions, some of which are county and others district functions, 851, 852.

Statement I. contains a table of expenditure since the passing of the Act of 1888, and shows how administrative business was dealt with by the Act, and the powers transferred; shows the expenditure of the various areas and debts raised for works; also gives details of every power exercised under present Administrative Acts; what powers stop at City area, and in whom the correlative power is vested, 855. Powers transferred from Metropolitan Board of Works; main drainage, regulation of buildings, &c.; the origin of Metropolitan Board of Works and City Commissioners of Sewers, 856–63. Powers as to main drainage transferred from Commissioners of Sewers to Board of Works under Act of 1855, 864.

The civic government has drifted from the Corporation into statutory bodies, but County government in the City has remained, 865–7. Powers of Corporation judicial rather than administrative, 873. Expenditure of Council and City under Building Acts, 874–6. In the appendix all the work is shown under headings with Act of Parliament under which the work is done, *e.g.*, powers and authorities under Building Acts, 878. Recovery of expenditure, 879–81. Prevention of powers clashing, and powers of vestries and district boards regulated by Metropolis Management Building Acts, 1855, 882.

Rating powers in City. Powers of Corporation under Artizans' Dwelling Acts (very little slum property in City, land too valuable), 882–5. Building of artizans' dwellings, no necessity to rebuild, 886, 887. Comparative expenditure of County Council and Corporation, 888–90. Payments for bridges and barracks, 891–4, 895–900. The functions exercised by the County Council which do not reach into the City are not generally paid for by City, 904–6. The City contributes in case of parks and slaughter-houses, 907; cases of City payment and non-payment, 908–11. Work not running into the City, lunatic asylums, reformatory and industrial schools, 912–5. Corresponding City powers, 915–21.

Powers transferred to Administrative County from County justices, 922, 923. Comparative expenditure in regard to lunacy, 924–30. Relative rateable value of City and County, 931–4. Lunacy expenses and number of lunatics, 935–41. Powers of Council exercised in County but not in City, 942–4. Highways and locomotive expenditure, 944–6, 949. Expenditure with respect to weights and measures; charter rights of the Corporation, 950–63.

Coroners.—All the coroners (11) are appointed by the Council except for the City, 965–7. Salaries fixed by Council, 975–81. Comparative expenditure of City and County as to, 965–7. The City coroner performs duties of coroner for Southwark; he is paid by the Council, 968–74.

HARRISON AND DICKINSON, Messrs., Evidence of—*cont.*

II. SECOND STATEMENT, SUBSTANCE OF.

Powers and Duties of London County Council.

1. Administrative Work.
2. Supervisory Work.
   (a.) *Powers over local authorities.*
   (b.) *Powers of licensing and registration.*
   (c.) *Powers of refusing or giving consent.*
   (d.) *Powers of inspection.*
3. Duties of Watching generally over the Public Interests.
4. Finance.
5. Business of the Council.

1. Administrative Work.

Includes management of main drainage, bridges, fire brigade, parks, &c., 999.

2. Supervisory Work.

(a.) *Powers over local authorities.*

(i.) *Generally:*
Relation to vestries and sanitary authorities, action in cases of default. Appointment and supervision of Medical Officers of Health. Infectious diseases, &c. Local sewers, 999, 1000.

(ii.) *Loans:*
The Council takes the place of the Local Government Board as regards approval of loans; its authority is absolute, 1001–4.

(iii.) *Rating and assessments:*
Powers over Assessment Committees, and powers to make rates, 1004–7.

(iv.) *Various powers:*
To divide parishes into wards, close streets, as to overhead wires, naming of streets, electric lighting, 1015, 1016.

(b.) *Licensing and registration.*

As to theatres, racecourses, slaughter-houses and cow-houses, and storing of explosives, 1010.

(c.) *Powers of giving or refusing consent.*

To electric companies and with regard to building, 1014. Powers over vestries with regard to electric lighting, 1015, 1016. Council's powers over quality of gas, 1018. Under Building Acts powers as to formation of streets, foundations and sites of buildings, building materials and sky signs, 1022. Powers, in City, as to foundations rest with Commissioners of Sewers, 1024.

(d.) *Powers of inspection.*

As to inspection of dairies, gas and electric lighting, sale of coal, shop hours, 1024–6. Powers as to fire protection for factories, prevention of floods and pollution of rivers, 1027, 1028. Power to make byelaws under Local Government and Municipal Corporations Act, 1029, *e.g.*, as to removal of rubbish and as to destructors, 1032, 1033. Definition of regulations and byelaws, 1034, 1035.

3. Duties of Watching generally over the Public Interests.

Council has representatives on the governing body of the City of London Charities, 1035. Area of power of Charity Commissioners, 1036–8. Has power to oppose and promote Bills, 1038.

4.—Finance.

(a.) *Income.*

Various sources of Council's income, Exchequer grants, fines and rates, rents, &c. Total receipts, 1039. Separate rates (City and Council) as regards lunacy, necessity of separate rates, 1040–2. Police rates, 1048.

(b.) *Expenditure.*

Payments from Exchequer grant, 1049. General expenditure of the year, 1051. Money lent to School Board and Asylums Boards and all local authorities, 1054, 1055. Amount put by yearly to redeem stock, Treasury regulation as to loans, 1055–9.

HARRISON AND DICKINSON, Messrs., Evidence of— *cont.*

B. II. 4.—Finance of London County Council—*cont.*

(c.) *Borrowing.*

Borrowing powers, Consolidated Stock, 1051. The Council borrows temporarily from the bank, 1060. Condition of Consolidated Loans Fund, 1063. Total outstanding debt, 1053.

5. Business of the Council.

The Statutory Committee appoints officers, 1063. The Asylums' Committee appoints its own officers, 1064. The Watch Committee its officers, 1066, 1067. Technical Education Board, its appointment and its finance, 1067–70.

C.—Correction and Amplification of Mr. Rotton's Evidence, 1077–1546.

Rotton, 60–1. (a.) *Corrections:*

(i.) *Organisation outside City:*

Before Act of 1855 there was a collection of townships, manors, and extra-parochial places rather than parishes and there were some commissions outside the City, 1081, 1082. The maximum number of members in a vestry is 120, reached in several cases, 12 for each 1,000 householders, 1083–6. The Metropolis is divided up into parishes, either singly under vestries or grouped under district boards. These represent roughly the larger and smaller parishes respectively, not in respect to size only but upon calculations made on their area, population, and rateable value, 1087–94. The Controller from his calculations says what number of members there should be for each ward and the County Council divides the parishes, 1095–103.

Rotton, 69.

Rotton, 70–4.

Mode of calculation in considering division of parishes into wards.

Evidence of Mr. Gomme. [Evidence given by Mr. G. L. Gomme, Statistical Officer of the Council.]

The number of vestrymen properly to be apportioned to the parish having been ascertained, they are apportioned between the wards, first according to the number of rated householders, then according to rateable value; the mean of the numbers is taken and the nearest number to it divisible by three is the number of vestrymen for each ward, the number must be divisible by three, because one-third retire every year, 1104–10. Witness gives mathematical illustration of mode of calculating, 1111–8.

[*End of Mr. Gomme's Evidence.*]

Rotton, 89. On the application of any parish, the County Council can divide it into wards, but once having divided it cannot re-divide it; the Council is bringing in a Bill to give power to re-divide, 1119–21.

The present number (1895) of vestries is 26, district boards, 13, and one local board (Woolwich); the numbers were altered three years ago, 1122, 1123.

The Council has no power to alter boundaries of parishes, though it can define wards within them; but all County Councils have power to represent to the Local Government Board, the ultimate authority, the desirability of alteration of boundaries, which can be effected by Provisional Order confirmed by Parliament, 1124–9, 1139–41. Instances given of alteration of boundaries under powers conferred by, ss. 54 and 57 of Local Government Act, and s. 57 of Divided Parishes Act.

Rotton, 124–6. The Administrative County of London does not go outside the Metropolitan Police Area, 1142–5.

Rotton, 225, 229. Certain byelaws were sealed on 28th June 1893, 1146, 1147.

Rotton, 229. (ii.) *Sanitary administration and control:*

The County Council has appealed to the Local Government Board in cases of default; the mere knowledge of the Council's power is often sufficient, without an appeal, to get the work done, 1149–51.

Rotton, 308. (iii.) *Highways not being main roads:*

Regent Street was formed by Crown Commissioners. There are road commissioners still existing, 1152–6.

Rotton, 355. (iv.) *Water supply:*

Sec. 116 of the Metropolis Management Act, gives powers, with certain provisoes, to vestries to sink wells for their own use, and to put up public pumps, 1157–9.

HARRISON AND DICKINSON, Messrs., Evidence of—*cont.*

C. (*a.*)—Corrections of Mr. Rotton's Evidence—*cont.*

(v.) *Tramways:*

The County Council promoted a Bill for a tramway over Westminster Bridge, 1160, 1161. Rotton, 417.

(vi.) *Asylums:*

There are two other County Council asylums besides those mentioned by Mr. Rotton, viz., Banstead and Cane Hill; another is proposed, 1162, 1163. Rotton, 454.

(vii.) *Cemeteries:*

Not all vestries have burial boards, but all have power to appoint them, 1164–72. Rotton, 456.

Table put in giving area, rateable value, inhabited houses and population according to last census of the City, County, and Administrative County and the extra London Metropolitan Police District, 1175. *See* Appendix.

Map put in showing Administrative County, area of Metropolitan Police, and Central Criminal Court, 1181. *See* Map 1, appended to the Report.

(viii.) *Street improvements:*

In respect to street frontages the Council has powers outside City, under Sewers Act and Building Acts, in the case of buildings half pulled down, 1182–97. Rotton, 508.

Correction as to powers of making new streets, 1198–200. Rotton, 505.

Procedure in taking land compulsorily, 1200–2. Rotton, 515.

(ix.) *Bridges:*

Kew Bridge is vested in County Councils of Surrey and Middlesex, 1203–5. Rotton, 550.

(x.) *Gas:*

The system of gas examiners described by Mr. Rotton applies to the three large companies. The vestries appoint examiners for the four small companies, 1206–12. Rotton, 576.

(xi.) *Main drainage:*

The main drainage of the metropolis was executed by the Metropolitan Board of Works (and County Council) under Metropolis Management Act, 1855, and Main Drainage Act, 1858, 1215–26. Rotton, 635.

(xii.) *Rates:*

Table put in showing local authorities in London through and by whom the Council's levy of the county rate is collected, 1227–9. Procedure in levying rates in various parishes, 1229–36. The Metropolitan Board of Works rate was originally a sewers rate, subject to deductions; it was made in three portions, the general, sewers and fire brigade rates; it is now a poor rate and subject to no deduction; covenant as to ratepaying in leases, 1237–42. Rotton, 706. Rotton, 703–24.

Corrections as to School Board rate, 1243, 1244. Rotton, 715, 727–8.

(xiii.) *Borrowing powers of County Council, Vestries, &c.:*

The Consolidated Stock must be repaid within 60 years; the Treasury is ultimate authority as to sinking fund, and regulates its application in loans to local authorities, &c., prescribing time of repayment and purposes for which the money may be used, 1245–50. Rotton, 762.

Vestries, &c. may not borrow without the consent of the Council, which fixes the period of the loan, in some cases the consent of the Local Government Board is required, 1251–6.

The Council can borrow money from the Consolidated Loans Fund for its own works, with Treasury consent; these loans treated as if they were loans to other bodies, 1256–63.

(xiv.) *Provisions of County Council's Annual Money Act:*

The Act gives powers of spending and lending to various bodies out of Consolidated Loans Fund, fixes limit of time for repayment, &c. All loans must be repaid before the date of redemption of the block of Metropolitan Consolidated Stock out of which they were advanced, 1263, 1264.

The Council has never issued Metropolitan Bills, 1267. The sub-authorities can and do borrow in the open market if terms are more favourable, generally from insurance offices, thus the Council loses customers for its Consolidated Loans Fund, 1268–72. Insurance offices would lend on either the instalment or annuity principle, 1273. The Treasury has suggested that if the annuity principle be adopted time for currency of loan should Rotton, 766. Rotton, 782.

HARRISON AND DICKINSON, Messrs., Evidence of—*cont.*

C. (*a.*) (xiv.) Corrections of Mr. Rotton's Evidence—*cont.*

Council's Annual Money Act—cont.

be shortened. The Treasury has consented to annuity principle for 50 years, and the Council wish to extend it to 56 years, 1278. Money lent by authority of the Local Government Board outside London is generally repayable by annuity. County Council loans have been hitherto repayable by instalments, but applicants for loans now generally ask for repayment by annuity, 1279.

(*b.*) Administrative Work of County Council not mentioned by Mr. Rotton.

(i.) *Embankments:*

The Council's duty is restricted to maintenance and the construction of any extension, 1284. Slight alterations made by Council, 1285–8. Liability to repairs, &c., 1289-91.

(ii.) *Prevention of floods:*

The Council has power to require private individuals whose property is liable to floods so to protect their property that theirs and neighbouring property shall not be flooded. Survey made of 40 miles of Thames bank. A vestry making provisions to prevent floods can charge expenditure on part of parish benefited, 1292–4.

(iii.) *Parks:*

List of parks under control of Council, acreage, and Act under which they are held (*see* Appendix VII., p. 30). The Council has general power under Open Spaces Act; is taking power in General Powers Bill for 1893 to purchase Hackney Marshes. Open spaces expenses come out of county rate, to which the City contributes, 1297, 1298. Powers as to byelaws and bands. Expenses of bands, &c. defrayed out of general county rate, 1299–1308.

(iv.) *Industrial and Reformatory Schools:*

Powers of maintaining and managing Mayford Industrial School taken over from Quarter Sessions, and Feltham School from the Middlesex County Council under Local Government Act, 1888. The rate for their support does not run into City (1309–17). The School Board has an industrial school, and the Metropolitan Asylums Board has a training ship; the County Council cannot take these over without an Act of Parliament. The Council can establish its own schools and take over private ones, 1318–24.

(v.) *Coroners:*

Salaries of all coroners (except City coroners) paid by Council, 1325.

(vi.) *Contagious Diseases (Animals) Act:*

The Council has power to appoint inspectors and enforce the Act and orders thereunder; the provisions relating to foreign animals are enforced by the Corporation, but with regard to other animals the Council is authority under 41 & 42 Vict. c. 24. and 53 & 54 Vict. c. 14., 49 & 50 Vict. c. 52. The power of the Corporation over foreign animals comes from the establishment by them of Deptford Market. The Corporation has also power as regards other animals in City, 1325-34. County Council expenses paid by special county rate, to which City contributes, 1335–7.

(vii.) *Small Holdings Act:*

The Council has taken land at Poplar, and is in communication with the War Office as regards Plumstead Marshes; is subletting it largely; it must let at such terms as will save the Council from loss, 1338–53.

(viii.) *Works:*

Having been advised that it may carry out its own works, the Council has appointed a Works Committee, has a central yard at Belvedere Road, under a manager, has provided stores, &c. It employs a few permanent men and many temporary, whose number varies with the amount of work, 1354–62, 1369, 1370. Various works done under new system, 1363. Witnesses cannot predict the development of the works scheme, 1364–8. The Works Committee act generally on the estimate of the architect; they do not undertake one-tenth of the work being done for the Council, 1371, 1372. They would be able in some cases to cast part of expenses on City, 1373–5. Many vestries do their own work in the same way, 1370.

HARRISON AND DICKINSON, Messrs., Evidence of—*cont.*

C. (*b.*) Administrative Work of London County Council—*cont.*

(ix.) *Sanitation:*

(1.) *Medical Officers of Health.*

Under the Local Government Act and Public Health Act the Council may pay half the salary of any medical officer appointed after a certain date, and in that case can demand an annual report. Out of 49 medical officers, eight are not under the Council; the medical department of the Council is in constant communication with the various medical officers, 1376–82. Officers are appointed under regulations of the Local Government Board, 1383, 1384. The council has absolute power to withhold payment of its share of salary if the medical officers do not send a return. If the report is unsatisfactory, the Council makes a representation to the Local Government Board, who take action, 1383–97.

(2.) *Infectious diseases, notification of.*

Notification of infectious diseases sent to Metropolitan Asylums Board and through them to the Council; the Council has power to declare a disease to be infectious, 1398–403.

(x.) *Overhead wires:*

The Council has power to make byelaws and to act in default of local authorities outside City only, 1404–11.

(xi.) *Naming of streets:*

The Council has absolute power, but generally asks local authorities to suggest names, 1412–4.

(xii.) *Licensing powers:*

(1.) *Theatres and music halls.*

Powers as to safety and licensing, 1415. Exercised through committee; 190 licences granted in 1892, 1416–9.

(2.) *Racecourses.*

A licence required within area of 10 miles from Charing Cross. The Council has inherited from the magistrates licensing duties as regards racecourses within the County, but there are none at present, 1419–25.

(3.) *Slaughter and cowhouses.*

The Council has powers not running into City, 1426–9, including that of inspection of milk, 1431–3.

(4.) *Infant nursing.*

The Council has powers under Infant Life Protection Act which do not run into City, as to "baby farms," 1430.

(5.) *Electric lighting.*

The Council has powers not running into City, 1434, 1435. Powers over vestries, 1437, 1438. There is no monopoly of electric supply; St. Pancras parish has created its own supply, 1439–42. Similar action open to the Commissioners of Sewers and all other local authorities, 1443, 1444.

(xiii.) *Weights and measures:*

The Council has inspectors to look after weights and measures, especially the sale of coal; has absolute power outside City, 1445, 1446.

(xiv.) *Shop Hours Bill:*

The Council is the authority under, 1447.

(xv.) *Pollution of rivers:*

Every County Council is an authority, but Thames and Lee Conservancies are practically sole authorities for those rivers, so the London Council has no effective duties, 1448–51.

(xvi.) *Byelaws:*

The Council has to make byelaws with regard to all these subjects. Table of byelaws handed in, 1452–6.

Map of London.

Witnesses hand in and explain map, showing the several areas of central government round and about London, viz., City, County Council, police courts, Central Criminal Court, poor law and registration, and metropolitan police districts, 8630–59. (*See* Map 1, appended to Report.)

D.—AMALGAMATION, SUGGESTIONS FOR.

General principles observed in framing suggestions. To adopt the Municipal Corporations Act, 1882, as far as practicable, consistently with the preservation of the historical privileges of the ancient government of the City, and with the modifications effected by the Local Government Act, 1888. The existing local authorities should be preserved, subordinate to the central authority as at present to the County Council, and an analogous body should be created in the present City in lieu of the Commissioners of Sewers. Some of the county authorities, as the sheriff, justices, and lord lieutenant, should be assimilated to those of county boroughs, 8662.

(*a.*) *The New Corporation of the City of London.*

1. *Constitution.*—There should be a single municipality for London, the whole area of which should be called the City of London, and should be for all purposes a county of itself, 8670.
2. This municipality should bear the name of the Mayor and Commonalty and Citizens of London, and should take the place of the existing Corporation and County Council, 8671. The existing City might be called the Old City or the Old Town, as at Bristol, &c., 8672–81.
3. The Corporation should consist of the Lord Mayor, aldermen and citizens of London, and should act by the Council, 8682.
4. *Election of Aldermen and Common Councillors.*—Qualification of electors. All persons who are now qualified as County Council electors should be entitled to be enrolled as citizens of London.
5. The new Corporation should consist of 19 aldermen elected by the councillors, and 118 councillors elected by the present electorate for the county, and having similar qualifications, 8682–9. Elections should be triennial, all the councillors retiring together as now for the County Council. This is better than the system in force in ordinary municipalities, where a third of the councillors retire annually, 8690–707. The present powers of the London County Council over the vestries and district boards are much closer than those of an ordinary county council over boroughs within the county, 8708–20. The new Corporation should have power, as the City has now, to alter its own constitution as regards number of councillors, aldermen, &c. 8721–7. This is necessary, as the population of London changes so much, 8728–35. It is preferable to retain the parliamentary divisions as electoral areas for the members of the new Common Council rather than the sanitary districts, &c., 8736–9.
6. The Aldermen should be elected by the common councillors for the same period and with the same powers as county aldermen now, 8739–40.
7. *The Lord Mayor.*—The Lord Mayor should be elected as mayors in other boroughs, except that his election should require the assent of the Crown with the same formalities as at present, 8740–4. His position in the Corporation should be mainly ornamental, as at present, presiding on occasions, taking the lead in charitable and similar work and representing the City on important occasions, communicating with foreign corporations, exercising hospitality, and endowed with the same dignities and privileges as now, 8745–50, 8780–1. The working chairman of the Common Council should be the deputy mayor, who could devote his whole time to municipal work, which the Lord Mayor could not. The Lord Mayor should not be expected to attend committee meetings as a rule, 8751–79. He should be a magistrate for London, on the Commission of the Central Criminal Court, and Lord Lieutenant and Custos Rotulorum of the County of London during his year of office, 8782–8. He should receive such remuneration or allowance as the Council might see fit, to provide for entertaining, &c., 8788–800.
8. *The Deputy Mayor, &c.*—The internal work of the Corporation should be carried on by a deputy mayor, a vice-chairman, and a deputy chairman elected annually, corresponding to the present chairman, vice-chairman, and deputy chairman of the County Council, 8801–3. The deputy chairman should be paid a salary, and should be the chief of the staff. This is thought better than having a permanent chief of the staff like a town clerk, 8804–21.
9. The election of members of the new Corporation should be subject to the same provisions as to ballot, corrupt practices, &c., as that of the County Council, 8821.

(*b.*) *Powers, duties, and privileges of the new Corporation.*

10. The new Corporation should take over—
    (1.) All the powers, duties and privileges of the present County Council.
    (2.) All the powers, duties, and privileges of the present Corporation of the City except so far as they are inconsistent with the proposals, comprising those of—
        (*a.*) The Common Council of the City, comprising its legislative power, provided that any proposal involving an alteration of the constitution of the new Corporation of London should be submitted to the Local Government Board, and should not take effect unless approved by that Board, and confirmed by an Order in Council, 8833–7, including all powers as regards—
            1. Corporate estates and trust estates, 8838–42.
            2. City police, 8843–8; 9134–53.
            3. Markets, 8849–53.
            4. Bridges, 8853.
            5. Port sanitary matters, *ib.*
            6. Foreign cattle, *ib.*
            7. Gardens and open spaces, 8853–6.
            8. Ecclesiastical patronage, 8856–61.
            9. The City courts, 8861–3.
            10. Improvements under the Act of 1847, 8864–9.
            11. Appointment of officers, including the High Bailiff and Steward of Southwark, 8869–77.
            12. Public libraries, 8877–84.
            13. Schools, &c., 8884–92.
            14. Legislation, 8893–8.
        (*b.*) The Court of the Lord Mayor and Aldermen in the Inner Chamber (except their powers and duties which are elsewhere exercised by the justices, in session or out of session), including all powers as regards—
            1. Police, 8898–902.
            2. The City companies, granting and fixing numbers of livery, 8902–14.
            3. Appointment of officers, recorder, clerks at justice rooms, &c., 8914.
            4. Spending money, 8915–9.
            5. Elections, 8915–9.
        (*c.*) The Aldermen in so far as their powers are non-judicial (but the present powers and functions of the aldermen in connexion with the wards of the present City should cease to exist), including all powers as regards—
            1. Police regulations.
            2. City companies.
            3. Lieutenancy.
            4. Statutory boards and charities, 8919.
        (*d.*) The Court of Common Hall, in the election of sheriffs, chamberlain, bridgemasters, auditors and all commoners, 8919–30.
    (3.) Those powers and duties of the City Commissioners of Sewers which elsewhere in the Administrative County of London are now exercised by the County Council, including their powers under the—
        1. Building Acts.
        2. Housing of the Working Classes Act, 1890.
        3. Sky Signs Act, 1891.
        4. Sale of Gas Act, 1859.
        5. Infant Life Protection Act, 1872.
        6. Explosives Act, 1875, 8822–31–8933–40.
11. The right of representation upon any joint committee of any of the above-mentioned bodies and any other body, including—
    (1.) The Standing Joint Committee of the Quarter Sessions and County Council.
    (2.) The Gresham Committee (with Mercers' Company).

HARRISON AND DICKINSON, MESSRS., EVIDENCE OF—*cont.*

D. (*b.*) AMALGAMATION, SUGGESTIONS FOR—*cont.*

(3.) Managers of West Ham Park (with the representatives of Mr. Gurney).

(4.) Epping Forest Committee (with the Verderers elected by the commoners).

(5.) The Thames and Lee Conservancies.

(6.) The Managers of the Royal Hospitals, 8831–2, 8941–59.

12. *Property and Finance.*—There should be a City and County fund and rate, 8959–68.

13. All the property of the Council and of the Corporation of the present City of London should pass to and vest in the new Corporation of London, subject to all debts and liabilities affecting it, and, except as otherwise provided by the following proposals, should be held for the same estate, interest, and purposes, and subject to the same statutory provisions, covenants, conditions, and restrictions as it is now held.

14. The debt of the London County Council, and of the Corporation of the City of London, should be the debt of the new Corporation of London, and ultimately charged upon the City and County fund. Due provision should be made annually for the repayment of the debt of the Corporation of the City of London, 8969. Comparative credit of Corporation and County Council. The latter can borrow at 3 per cent., 8970–9000.

15. How receipts in the nature of capital and income from markets or other sources should be dealt with respectively, 9,000.

16. A separate account should continue to be kept for the markets, and, after providing for all liabilities in respect of them, any surplus revenue should be applied in reduction of tolls or in the provision of further market accommodation. Any deficiency might be made good by the Corporation, 9001–8. Disposal of Income from Charity Estates, Bridge House Estates, other trust and statutory funds and general estates 9009–11. Any balance from the Bridge House Estates should be applied to the provision of other bridges, tunnels or ferries, 9012–33.

17. If the City and County Fund is insufficient to meet the expenditure of the Corporation in any year, the Corporation may make good the deficiency by levying a City and county rate.

18. The present exemptions of the City from county rate should cease. The Corporation should levy the Police Rate in the City area, 9033–5.

19. The Corporation should have power to spend money on the entertainment of distinguished persons, illuminating streets, &c., on maintaining the City of London School and Guildhall School of Music, on libraries and museums, 9036–40.

20. There should be a local authority for the present City, 9041.

21. This should be elected triennially by county electors in the City, 9041–52.

22. The present Commissioners of Sewers should make proposals to the Local Government Board for the election of the new local authority, 9052.

23. The Local Government Board should, by notice in the Gazette, fix the boundaries of the wards, numbers of representatives, &c., *ib.*

24. The City local authority should be a body corporate, with a chairman and treasurer, *ib.*

25. It should have the powers and duties (including rating powers) of

(*a.*) The City Commissioners of Sewers (except those now exercised in rest of London by County Council), and should be subject to supervision on the part of the new Corporation in matters in which the County Council now supervises the vestries, &c., and to the removal of restrictions as regards rating.

(*b.*) A local authority under the Metropolis Management Act, 9052–68.

26. The City local authority should take over the establishment, property, and debt of the City Commissioners of Sewers, except the debt incurred in respect of powers to be transferred to the new Corporation; and as regards rating, it should have the powers—(*a.*) of the City Commissioners of Sewers for all purposes not transferred by these proposals to the new Corporation; (*b.*) of a local authority under the Metropolis Management Act, 1855, in so far as they are

HARRISON AND DICKINSON, MESSRS., EVIDENCE OF—*cont.*

D. (*b.*) AMALGAMATION, SUGGESTIONS FOR—*cont.*

additional or supplementary and not in derogation.

27. The City local authority should appoint an officer to perform the duties of the Secondary of the present City of London, with regard to the registration of parliamentary and municipal electors in the area of the present City, 9052–68.

County of London:—

28. The present City of London should cease to be a county of itself, and shall for all purposes become part of the County of London, 9069–90.

29. The justices by charter of the City of London should be abolished, but the names of the existing Lord Mayor and aldermen of the City of London should be included in the Commission of the Peace for the County of London, *ib.*

30. The jurisdiction of the Court of Quarter Sessions and justices of the County of London should extend to the present area of the City, *ib.*

31. The Metropolitan Police Courts Acts should extend to the present City of London, and the Mansion House and Guildhall Justice Rooms should be made Metropolitan Police Courts, and police magistrates should be appointed to preside in those courts. Provided that (*a*) the buildings and other property connected with the police courts in the City should not be transferred to the Commissioners of Works; (*b*) the salaries of the magistrates and all other expenses should be paid by the Corporation, who should receive the fees and fines; (*c*) the City Police should perform all duties in connection with these courts, which in the case of the other police courts are performed by the Metropolitan Police, *ib.*

32. The Sheriff of the County of London should in future be appointed by the Council of the new Corporation, and it should be lawful for the Council, if they thought fit, to appoint two persons to hold the office of Sheriff, so that either of them might perform any of the duties of that office, *ib.*

34. The Recorder of London should be chairman of quarter sessions of the County of London. The present chairman of quarter sessions of the County of London, and the Common Serjeant of the present City of London, should be deputy recorders of London, and a court of quarter sessions may be held before the recorder or any deputy recorder alone; provided that all courts of quarter sessions in London shall be held in accordance with a scheme prepared by the Council, and approved by a Secretary of State, 9090–2.

35. It should be lawful for the Queen, on the petition of the Council of the new Corporation of London, to appoint additional deputy recorders of London, 9092–8.

36. The present City of London should cease to be a separate county for the purposes of the militia, as for all other purposes. The Commissioners of Lieutenancy of the City of London should be abolished, and their property, debts, and liabilities pass to the Secretary of State for War, but all records, documents, and property not required by the Secretary for War for the performance of his duties should be transferred to the Lieutenant of the County of London, *ib.*

37. The Trophy Tax should cease to be raised, *ib.*

38. The Lord Mayor of the City of London for the time being should, during his term of office, be the Lord Lieutenant and *custos rotulorum* of the County of London, *ib.*

39. The Borough Court of Southwark and the judicial powers of the City Chamberlain should be abolished. The Court of Hustings should also be abolished, unless it were thought desirable to preserve it for the purpose of the custody of the records, or to transfer to it the business of the Middlesex Land Registry, *ib.*

40. The City of London Court should continue as at present, 9098.

41. The manner of dealing with the Central Criminal Court and the Mayor's Court should be determined by the Home Secretary, and meanwhile the present assistant judge should be

HARRISON AND DICKINSON, MESSRS., EVIDENCE OF—*cont.*

D. (*b.*) AMALGAMATION, SUGGESTIONS FOR—*cont.*

the sole judge of the Mayor's Court, 9098–100. It might be well to establish special courts to deal with cases involving penalties, *e.g.*, under the Education and Building Acts, but not properly of a criminal character, which are now dealt with in police courts, 9100–7.

Freemen:

42. Freedom by patrimony, apprenticeship, redemption, and gift should be abolished, with this exception, that it should be lawful for the new Corporation to grant the honorary freedom of the City of London to any person as a mark of distinction.

43. The existing freemen of the City of London who are liverymen should retain the Parliamentary franchise, 9107.

44. The Freemen's Orphan School, the institution of the London almshouses, and all other property or assets now applicable for the benefit of the freemen of the City of London, or their widows, children, or orphans, should be vested in the new corporation upon trust, to apply the same, so far as may be just, for the benefit of the existing freeman of the City of London, and their widows, children, or orphans. Provided that nothing in these proposals should entitle any person to any greater benefits than he would otherwise have enjoyed, 9107–18.

Officers:

45. All the officers of the Corporation of the present City of London, and of the London County Council, should become the officers of the Corporation of the City of London, and should retain, so far as is practicable, all their present rights, privileges, and emoluments, and should exercise their respective functions over the whole of London, 9118–26.

46. The Council may, nevertheless, from time to time distribute among the said officers the duties to be performed by them, and may remove or supersede any of them, and provide for the union or abolition of offices, and of the variation of duties, in such manner as they may think expedient for the Corporation and just to the officers, *ib.*

Compensation:

47. If any existing officer were at any time removed (except for misconduct), or his office abolished, or if he were subjected to obligations or conditions, or required to perform duties, such as are not the same as or analogous to those which he is at present subject to or required to perform, he should be entitled to full compensation, 9126–31.

48. If any existing officer were of opinion that his position had been injuriously affected by any alteration of his duties by the Council, and he were either refused compensation, or were dissatisfied with the amount offered him, he should be entitled to appeal to the President of the Local Government Board, who should have full power to adjudicate in the matter, *ib.*

The Irish Society:

49. The Irish Society should be dissolved, and its charter repealed, and its property transferred as to part thereof to the Corporations of Derry and Coleraine, and as to the rest to any elective county authority which may be created in Ireland, and unless and until any such county authority is created, the said property should vest in trustees to be appointed by the Lord Chancellor of Ireland, 8953, 9131–3.

Transitory Provisions:

50. A provisional joint committee consisting of 10 representatives of the Common Council of the City, and 10 of the London County Council, with a chairman elected by themselves, or failing agreement, nominated by the President of the Local Government Board, should be appointed to arrange the details of the transfer of business to the new Corporation, and generally to make such recommendations in view of the coming into force of the Act as may promote its proper working, 9133.

HARRISON AND DICKINSON, MESSRS., EVIDENCE OF—*cont.*

E. COMMENTS ON CRITICISMS AND SUGGESTIONS OF OTHER WITNESSES UPON THE PROPOSED SCHEME OF AMALGAMATION.

[*Evidence given by Mr. Dickinson alone.*]

Witness speaks with experience of the working of the Wandsworth Vestry and Board of Works and the Streatham Vestry, and so can regard the question of amalgamation from a local as well as a central point of view, 13,487–8. There must be a strong and attractive central body, and at the same time local bodies with all possible powers and duties that can be entrusted to them without disadvantage, so as to attract the best men to serve on them. From the necessity of having a central body it follows that the local authorities cannot be municipalities on the lines of large provincial towns, and cannot deal with the large questions of gas, water, main drainage, &c., which render municipal life in those towns attractive, as they must in London be in the hands of the central body. Moreover, it would be but rarely that the district of a local body contained all classes of residents, as a provincial town would; in most cases they would be all well-to-do, or all poor, and this would limit the choice of men for the local bodies, 13,488. Though there must be a central body, it has been suggested that some of the present powers and duties of the County Council might with advantage be transferred to the local authorities, *e.g.*:—

1. *Prevention of Floods:*
   This concerns the whole of London and could be better done by the central body which has the oversight of the whole river, 13,488–9.
2. *Maintenance of small Open Spaces:*
   The County Council would be only too willing to hand these over, but hitherto its difficulty has been to get the local authorities to undertake their maintenance; the Council is even now only managing them temporarily till the vestries will take them over, 13,489.
3. *Industrial and Reformatory Schools:*
   The Council have only two schools which take the boys from nearly the whole of London, 13,489.
4. *Lunatic Asylums:*
   These must be under the central body, 13,489.
5. *Artizans' Dwellings:*
   Only the smaller schemes of clearing could be carried out by the local authorities, 13,489.
6. *Appointment of Coroners:*
   The coroners' districts do not coincide with the areas of the local bodies, so the latter cannot be given the appointment of coroners, 13,489.
7. *Provision of Coroners' Courts:*
   The local bodies ought already to provide coroners' courts, but very few of them do, 13,489.
8. *Administration of the Small Holdings Act:*
   This duty has only been imposed on the County Council since 1892, and the Act has been put in operation in districts in the East End, where in all probability the local authorities would never have taken it up, because of the expense and possible risk of loss involved, 13,489–91.
9. *Tramways:*
   These must be under the central authority, 13,489.
10. *Water Supply:*
    Both the central and local authorities might with advantage have more power than they have over the supply of the water companies, but if water were supplied by the municipality it must be by the central authority, 13,491–3.
11. *Licensing:*
    It is important that the power of licensing or granting a person permission to do something which he is otherwise not

HARRISON AND DICKINSON, Messrs., Evidence of—*cont.*

E. Comments on Criticisms—*cont.*

entitled to do, should be in the hands of the body that is strongest and least open to pressure and influence from interested parties.

This is especially true as regards—

i. *Buildings*, though it is quite possible that a good vestry, like the Marylebone Vestry, took a stronger line as regards allowing encroachments on a road or open space than the Metropolitan Board of Works, 13,493–6.

ii. *Slaughter-houses.*—These must be regarded from the point of view of London as a whole, and got rid of from congested districts for sanitary reasons, whereas a local authority will not, as a rule, look outside its own area. The work of licensing might be efficiently performed by local authorities acting under strict byelaws framed by the central authority, but it would be better for the latter to do all the work directly itself, 13,496–500. There is not at present any movement in the direction of establishing public abattoirs, but these will probably come in time, 13,501–5.

iii. *Cow-houses and Dairies.*—The same observations apply here, but not so strongly. The Council has a good deal to do with milk as conveying disease, but the local authorities might control cowhouses and dairies effectively under byelaws framed by the central authority, 13,505–6.

iv. *Explosives and Petroleum.*—This duty is better left in the hands of the central body, which now carries out the Acts over the whole of London through five inspectors, of considerable technical knowledge; if the Acts were administered by the local authorities they would need more inspectors, and find difficulty in getting men with the necessary technical knowledge, except at pay which would mean an increase of cost, and the inspectors must work from a common centre in dealing with cases of transit, &c., 13,507–9.

v. *Offensive Businesses.*—But few of these are carried on in any single locality, so the local authorities, to avoid undue expense, would have to employ their sanitary inspectors on the work, who would not bring the same technical and intimate knowledge to bear as the five inspectors of the County Council, who do nothing else, 13,509–13. There is a danger that if this were entrusted to local authorities they would hesitate, in the absence of pressure from some superior authority, to prosecute offenders, as they have, in the case of smoke nuisances (recently transferred to them), which are generally caused by men of local influence, 13,373–4.

vi. *Infant Life Protection.*—There are only 20 registered baby farms in London, and the County Council has one woman to inspect them, employing also two men on detective work, in connexion with baby farming advertisements, &c. This could not be done in each locality, 13,524.

12. *Weights and Measures:*

Uniformity of administration of the Acts is very important, and the inspectors should be out of the reach of local influence. The County Council has six officers and ten inspectors for all London. Complaint has been made that the offices are inconveniently situated, but, as a matter of fact, tradesmen never go to the offices themselves with their scales to be tested, but send them in through a scale-maker, and the offices have been arranged for the convenience of the scale-makers, most of whom live in Marylebone, 13,514–22.

HARRISON AND DICKINSON, Messrs., Evidence of—*cont.*

E. Comments on Criticisms—*cont.*

13. *Sale of Coal:*

The observations made as regards susceptibility to local influence apply also to the inspection of the sale of coal, which is carried out by the County Council with 13 coal officers and 30 other men over the whole of London, 13,522–4.

14. *Shop Hours Act:*

This might be administered by local authorities, though there would again be the difficulty of local influence when it came to a question of prosecution. The County Council is not working the Act with great severity at present, 13,524–5.

15. *Closing of thoroughfares:*

The larger streets run through the districts of several local authorities, and concerted action, which can best be secured through a central body, is necessary to secure that they are not closed in all parts at once, or at inconvenient times; but the act is not very strong at present, 13,525–30.

16. *Common Lodging-Houses:*

These are now licensed by the police, not by the County Council. The licensing will probably be transferred in time to the latter, it should not be left to the local authorities, 13,530–1.

17. *Hospitals:*

The vestries have for many years had power to establish hospitals, but have not done so. Infectious hospitals are provided by the Metropolitan Asylums Board for the whole of London, and some such arrangement must continue, 13,531.

18. *Vaccination:*

The County Council has nothing to do with vaccination, which is in the hands of the guardians. Witness sees no objection to its transfer to the local authorities, 13,531–2.

19. *Registration of Births, Deaths, and Marriages:*

This is now dealt with by the clerk to the guardians as an officer of the Local Government for this purpose. It is a matter of Imperial concern; the County Council would not object to its transfer to officers of the local authorities, 13,532–4.

20. *Markets:*

Apart from the monopoly claimed by the City, which is not pressed as regards retail markets, there is no reason why the local authorities should not establish markets in their own districts; Woolwich has already done so. The Deptford and Islington Markets might be transferred to the authorities of their respective districts, 13,534. The vestries have recently been taking proceedings (unsuccessfully) against costermongers, as responsible for the cleanliness, &c. of the streets. The County Council has nothing to do with this, 13,535–7.

21. *Loans:*

The power of borrowing from the County Council is very convenient and valuable to the vestries, as they benefit by the superior credit of the former. It is also advantageous to the Council as affording a use for its accumulated loans fund, 13,537–9.

The vestries and district boards under the Act of 1855 cannot borrow without the consent of the County Council. Guardians and ordinary vestries require that of the Local Government Board, 13,539–44. There is occasionally friction with the vestries where the County Council is strict, *e.g.*, it was held at first that the Council should only sanction loans in cases where it would be prepared itself to lend the money, 13,545–7, but this principle is no longer enforced now, 13,581–9. The Council proceeds on the principle of not sanctioning a longer currency for a loan than the work for which it is raised will last, and always acts on a report of its

HARRISON AND DICKINSON, Messrs., Evidence of—*cont.*

E. Comments on Criticisms—*cont.*

officers on this point. In loans for miscellaneous works, *e.g.*, electric lighting, an average currency is usually sanctioned; the Local Government Board go upon the other principle of splitting the loan up into several separate items, each with a currency of its own, 13,547–67. Loan questions are really decided in the Council, on the advice of expert officers and a careful report of the finance committee, which goes very thoroughly into the subject as a whole, and into individual cases, and there is little or no departure from their recommendations on arbitrary grounds, 13,568–80.

22. *Administration of the Building Acts:*

(*a.*) *As regards projections over the line of frontage.*—Experience shows that, as a rule, the vestries attach more importance to the additional rateable value obtained by allowing encroachments than to the preservation of open space, 13,589–92.

(*b.*) *Formation of new streets.*—Anyone can lay out a new street, provided it complies with the requirements of the Building Acts, *i.e.*, is 40 feet wide, and opens into a road at either end. The Council only interferes where a man tries to make a street in a sort of circle to evade the law, 13,592.

(*c.*) *District surveyors.*—These are statutory officers, and though appointed by the Council, are hardly more under its control than coroners. They are paid by fees, and are men of high professional standing. If a man builds an ordinary building in accordance with the Acts, no one interferes, if he does not, the district surveyor brings him before the magistrates without the intervention of the Council, which has jurisdiction only in the case of large and public buildings, 13,592. There may be some inconvenience in the fact that plans for buildings have to be submitted to more than one authority, viz., the County Council if it is the case of a new street, to the district surveyor as regards construction, and to the local authority as regards drainage, 13,593–600. The district surveyors' fees are regulated by the Council, and there is a tendency to make them more directly the officers of the Council; thus they have recently been debarred from taking private practice. They would probably resent being placed under the local authorities, 13,601–11.

(*d.*) *Street naming.*—There are even now only too many instances of the use of the same names in different districts, and this would become worse if each local authority were independent in its own district. The practice now, in the case of the formation of a new street, is that the builder suggests a name in the first instance, and the Council approve it, if it is suitable. As regards any changes the local authorities are always consulted, as they are in all questions of line frontage and new streets. 13,611.

(*e.*) *Dangerous and neglected structures.*—This only amounts to making owners of dilapidated buildings spend money in repairing them. The district surveyor reports to the Council, which instructs him to send notice to the owners, and act in default at their expense. This is, probably, best in the hands of the body least susceptible to local influences, 13,611–4

(*f.*) *Construction of Factories.*—The Council have to approve the plans of new factories, and see that old ones are safe in case of fire. Here again, freedom from local influence is necessary, 13,614–6.

23. *Main Roads:*

The local authorities applied to have so many roads (400 miles) declared main roads that the Council found it impossible to entertain the applications, and confined itself to making arrangements with them for the maintenance of the eight miles of main road they were bound to maintain, the cost being divided with the local authorities, 13,416.

24. *Making Byelaws:*

The Council should have the fullest possible power to make byelaws to regulate the work of the Metropolis. A good deal has been done, but much yet remains to be done, and the Council's powers need enlarging, 13,616.

25. *Powers of acting in cases of default by Local Authorities:*

These should be retained and enlarged, 13,616.

26. *Finance:*

It would be well that the central authority should have some control over the finance of the local authorities, *e.g.*, in the direction of equalisation of rates. The local authorities should be required to send in their annual budgets to the Council for approval, which should be able to disallow items, with a reference to the Local Government Board in cases of dispute; and the total amount of money required by the local, as well as by the central authorities, should be raised by an equal rate extending all over London, except as regards the disallowed items, the money for which should be raised locally, 13,617–27. London at present suffers from the multiplicity of rates levied (*e.g.*, in Kensington 11 different rates are payable), though all are not collected separately, still the cost of collection is very high, over 100,000*l.* a year, 13,627–9.

27. *Concentration of Local Functions:*

All the functions now exercised by commissioners of libraries and baths, and burial boards should be combined in the local authorities, who should also manage the charities, and do the work of assessment, subject to the control of the central body. They should also take over poor law work from the guardians, so as to make their duties as important and attractive as possible. At present, the poor law and sanitary administrations come very closely in contact, and there is occasional clashing, the guardians relieve, and have inspectors, while the vestries deal with the unemployed and sanitation, which come very near one another, 13,629.

28. *Grouping of Districts:*

The best districts for the local authorities would be the present poor law areas, 30 in number, many of the smaller vestries being grouped. This would follow the district council areas under the Act of 1894 in the country generally, and would be better than to take the existing Parliamentary divisions. The change would arouse a good deal of local feeling, and would be best effected at one blow, 13,630–9.

29. *The Numbers of the Local Bodies:*

From 40 to 60 would be the best number of members for a local body; no provincial corporation has more than 72 members, 13,639–42.

30. *Election:*

It is true that some large districts have recently been sub-divided, in some cases not very wisely (*e.g.*, Stoke Newington, with a population of only 30,000, from Hackney), but it was really necessary in the case of Battersea and Wandsworth, Plumstead and Lee, and Wandsworth is still so large (9,000 acres) that it must be again subdivided before long, as must Lee, 13,652–62.

HARRISON AND DICKINSON, Messrs., Evidence of—*cont.*
E. Comments on Criticisms—*cont.*
(*a.*) *Term.*—The members of the local bodies should be directly elected all together, every three years, like the central body, so as to get as much interest taken in the elections as possible, and to secure good organisation. The interest is growing, even now, but it still falls far short of what it should be, 13,642–6. It would be better that both elections should not be held on the same day, as that would confuse people too much, 13,646–50, 13,662–3.
(*b.*) *Qualification of electors.*—This should be as broad as possible, and the same for both central and local bodies, 13,650–2.
31. *Connection between the Central and Local Bodies:*
Witness would not have the local bodies represented directly (*e.g.*, each by an alderman), upon the central body; as a rule, the former would send up the most respected rather than the most efficient members, 13,664–5. It would not be so bad if the chairman were the representative, but he would have too much to do to serve efficiently on both bodies, 13,666–8. It would, however, be well that the members of the County Council for a district should be ex-officio members of their local body, 11,668–9.
32. *Title, &c. of the Local Bodies:*
Witness prefers the title of district council to that of corporation or municipality, but would not object to the chairman being styled mayor if it would attract better men. The chairman or mayor might be a magistrate during his year of office, 13,670–2.
33. *West Ham:*
The drainage of West Ham is poured into the London main sewer, and there would be an advantage, especially to West Ham, in its being included in the metropolis for other purposes. Its being made a separate municipality in 1886 was a step in the wrong direction, 13,673–82.

HAYWOOD, COLONEL WILLIAM:
Engineer to the City Commissioners of Sewers. Employed by the Corporation to construct the Holborn Valley Improvement, *Bridgman*, 1670–77.

HEAD OF STAFF:
Comparative advantages of permanent and elective, *Harrison*, 8803–21; *Clare*, 10,319–23; *Johnson*, 9827–32, 9847–9, 9866–7; *Pritchard*, 12,104–38.

HIGHGATE WOODS:
Acquisition and maintenance of by the Corporation out of Grain Duty, *Gomme*, 3852–7, 4101, 4102; *Kemp*, 5373.

HIGHWAYS OTHER THAN MAIN ROADS:
Authorities for—
(*a.*) *In City:*
(i.) The Commissioners of Sewers are authority for maintaining and repairing roads, *Rotton*, 295–8; but Common Council has, under Local Government Act, 1888, power of making byelaws in regard to locomotives and their use in certain cases with approval of County Council, *Rotton*, 299; *Harrison*, 944–7.
(*b.*) *Outside City:*
Vestries and district boards have powers under Metropolis Management Act, 1855, *Rotton*, 302–3.
County Council has power to declare roads to be main roads, and contribute to their maintenance, but has not done so, *Holland*, 11,947–53; *Weaver*, 11,189–224; *Dewey*, 11,661, 11,662; *Dickinson*, 13,416.
(ii.) *Closing of for repairs:*
The assent of the County Council is now necessary for this. This requirement should be discontinued, *Antrobus*, 12,989–99; *Cohen*, 12,638, 12,639; *Harris*, 13,068–70; *H. J. Smith*, 11,764–7; *Holland*, 11,991–5; *Dewey*, 11,649–60; *Westacott*, 13,177–80; *Andrews*, 12,426–33.

HIGHWAYS OTHER THAN MAIN ROADS—*cont.*
(ii) *Closing of for repairs—cont.*
Comments on this proposal, *Dickinson*, 13,525–30.
(iii.) *Permanent closing or diversion of:*
Order of justices necessary, *Holland*, 11,990–4; *H. J. Smith*, 11,767.

HOLBORN UNION:
Parishes, &c. included in, *Costelloe*, 13,980.
Rating authorities in, *Dickinson*, 1228.

HOLBORN VALLEY IMPROVEMENT:
Undertaken by Common Council under special Acts, *Bridgman*, 1576–82, 1671–3.
Balance of money from Coal Dues and from Clerkenwell improvement fund transferred to Holborn Valley improvement account, *Gomme*, 3965–81, 3995–4015.
Provisions for repayments of loans, *Payne*, 6927–9.

HOLLAND, Mr. THOMAS, Clerk to the Vestry of St. Luke, Chelsea.

Analysis of Evidence.

The Chelsea Vestry consists of 60 elected and three *ex officio* members (the rector and churchwardens), which is a convenient number. It meets fortnightly at 5 p.m., a convenient hour to most of the members. It sits, as a rule, two or three hours. There are 12 committees, also meeting fortnightly at 6 o'clock, 11,866–79. The Chelsea Vestry organised in 1890 a conference of vestries and district boards, which was attended by representatives of 33 out of 40 vestries, &c. to consider a scheme for the establishment of district councils, put forward by some members of the County Council, under which existing areas were to be altered and, *inter alia*, Chelsea was to have been united to Kensington, a proposal to which Chelsea objected strongly as forming a district with a good deal of local life of its own, and a compact and convenient area to govern, with the exception of the detached piece at Kensal Town, the inhabitants of which, however, are in favour of remaining united to Chelsea. Its detachment causes but little administrative inconvenience, 11,880–94, 11,911. Some of the existing areas are undoubtedly too small for convenient administration and should be grouped, *e.g.*, the districts about the Strand with almost no residential population; others again are, or may become, too large, just as Battersea had to be separated from Wandsworth and Fulham from Hammersmith; yet under the scheme for separate municipalities—which the conference rejected—they would be reunited, 11,895–904. It is felt that there must be one supreme council for all London, but there should also be strong local authorities—to be called district councils rather than vestries, 11,904–11. The conference proposed a rearrangement of functions between the central and local authorities, as follows:—

(i.) The office and functions of district surveyors under the Building Acts should be in the hands of the local authorities, with an appeal to the County Council. The present system is very inconvenient and causes delay, owing to the division of functions. The change has actually been already made, under the Public Health Act, 1891, as regards underground rooms, 11,912.

(ii.) The functions of overseers, assessment and valuation committees, burial boards, and commissioners of libraries and baths and washhouses, the registration of births and deaths, and the administration of the Vaccination Acts should be united in the local authorities, thus leaving excluded only poor law and educational matters and such executive functions as must be exercised by a central authority. This would lead to economy of officers and administration, more direct election and control, &c. Power should be reserved to appoint on the baths and libraries committees persons who are not district councillors, 11,912–20.

(iii.) The Vestry thinks triennial election of the whole local body better than annual election of one-third, as giving a more effective control and awaking more interest in the elections. Witness agrees. Does not greatly fear the risk of complete discontinuity of policy.

HOLLAND, Mr. THOMAS, Evidence of—*cont.*

Elections in Chelsea are mainly political, 11,921–34. More interest is shown in municipal elections in the provinces than in London, partly because they deal with larger matters, *e.g.*, gas and water, 11,935–42.

(iv.) The county councillors for a district ought, in the opinion of the Vestry, to be *ex officio* members of the vestry of the district. Witness does not agree. The functions of both are too arduous to be done properly by one man, 11,943–7. There is a want of touch at present between the Chelsea Vestry and the County Council, *e.g.*, on a question of closing roads. Two gentlemen are on both, but they can rarely attend the former. The Vestry complains of the Council for not taking over or contributing to the cost of certain main roads, 11,947–53. It has not had a proper opportunity yet of considering the Council's Building Bill, 11,954, 11,955. To avoid friction witness thinks that all the details of administration of the Building, Infant Life Protection, and Vaccination Acts, the licensing of cowsheds and slaughter-houses, registration of births, &c., and some control over hospitals, &c. the suppression of disorderly houses, the prevention of floods, management of small open spaces, and registration of common lodging-houses should be left to the local authority, with only an appeal to the Council. The Vestry could also economically do for the Council various things, *e.g.*, watering bridges, scavenging, maintaining embankment gardens, &c. now done by the Council direct, 11,954–74. The Vestry should also be empowered to establish local markets, leaving the control of the central markets, like Billingsgate, with the central authority for all London, 11,974–90, and should be able to close and divert streets without going to the justices, 11,991–5. The Chelsea Vestry has established a labour bureau, and is proposing to pay 300*l.* a year from the rates to the South-Western Polytechnic so as to get a member upon its governing body, 11,995.

The powers and duties left to the County Council would be main drainage, construction of bridges and Thames tunnels, artizans' dwellings, tramways, general markets, the control of the fire brigade, parks, water and gas, appeals under the Building Acts, main street improvements including the completion of the Thames embankment and Thames tunnels, and the management of reformatory schools and lunatic asylums. The licensing of hackney carriages should be transferred to the Council from the police, 11,996–9. As regards valuation and assessment the Council ought to have a consultative voice and a general control, but not to override the local authorities, 12,000–3.

HONEY LANE MARKET:

Established by Act of Charles II., *Kemp*, 4957. Market abolished and City of London School built on its site, *Kemp*, 5428–51.

HORNSEY:

County Council has recently applied for alteration of boundaries of, so as to bring a part within the County of London, *Dickinson*, 1131–3, 13,680, 13,681.

HOSPITALS:

Authorities to establish—

1. *In City:*
Commissioners of Sewers, *Holland*, 11,956.

2. *Outside City:*
Vestries and district boards, *Dickinson*, 13,531.

HOSPITALS, THE ROYAL:

Establishment and management of (Christ's Hospital, St. Bartholomew's, St. Thomas', Southwark, Bethlem, and Bridewell), *Kemp*, 5410–27.
See also under Corporation, 7.

HOUSING OF THE WORKING CLASSES:

(*Artizans' Dwellings.*)

Authorities as regards—

1. *Unhealthy areas:*
(*a.*) *In City:*
Commissioners of Sewers are local authority, Secretary of State central authority, *Rotton*, 256–62; *Harrison*, 882–7.

HOUSING OF THE WORKING CLASSES—*cont.*

1. Authorities as regards unhealthy Areas—*cont.*

(*b.*) *Outside City:*
County Council is local authority, Secretary of State central authority, *Rotton*, 256, 260–2; *Dickinson*, 13,489.

2. *Unhealthy Dwelling-houses:*
(*a.*) *In City:*
Commissioners of Sewers are local authority, and Secretary of State, or in some cases Local Government Board, central authority, *Rotton*, 265–75; *Harrison*, 882–7.

(*b.*) *Outside City:*
Vestries and district boards are local authority, Secretary of State, or in some cases Local Government Board, central authority; but County Council may in some cases exercise powers of local authority, and, subject to Secretary of State, require local authority to bear part of expenses, *Rotton*, 265–73; *Dickinson*, 13,489.

3. *Working Classes' Lodging-houses:*
(*a.*) *In City:*
Commissioners of Sewers are authority, expenses from rates levied by them, *Rotton*, 276.
(*b.*) *Outside City:*
County Council is authority; expenses come from county fund as for a special county purpose, *Rotton*, 276–7; *Dickinson*, 13,489. The duty might be entrusted to the local authorities, *Cohen*, 12,836–54. Comments on this proposal, *Dickinson*, 13,489.
Besides the buildings erected by the Commissioners of Sewers the Corporation has built blocks of artizans' dwellings in Farringdon Road, on the Bridge House Estates, &c., under various Acts, *Murray*, 7946–9.
Two buildings in the Metropolitan Cattle Market also converted into artizans' dwellings by Corporation, *Knott*, 8106.

See also SEWERS, COMMISSIONERS OF, 3. (*a.*), (1.).

HUNGERFORD MARKET:

Establishment and abolition of, *Kemp*, 4987–90; *Rotton*, 442–3.

HUSTINGS, COURT OF:

See City of London, 5 (Courts of Justice) (*a.*).

HYDRANTS in City transferred from Common Council to Commissioners of Sewers, *Payne*, 7059.

IMPROVEMENTS. *See* STREET IMPROVEMENTS.

INDUSTRIAL AND REFORMATORY SCHOOLS:

(*a.*) *In City:*
Common Council and School Board can establish schools, *Dickinson*, 1315, 1316.

(*b.*) *Outside City:*
County Council has power to maintain and manage Mayford School taken over from quarter sessions, and Feltham School from the Middlesex County Council, under the Local Government Act; the rate in reference to them does not run into City, *Dickinson*, 1309–17, 13,489.
The School Board has an industrial school, and *The Metropolitan Asylums Board* has a training ship.
The County Council could not take these over without special Acts, but could establish its own and take over private schools, *Dickinson*, 1317–24.

INFANT LIFE, PROTECTION OF:

Authorities for—

(i.) *In City:*
Common Council, *Dickinson*, 1430, 13,514; the Commissioners of Sewers being the rating authority.

(ii.) *Outside City:*
County Council, *Dickinson*, 1430, 1456, 13,514.
The duty might be transferred to the local authorities, *Harris*, 13,068–71; *Holland*, 11,968–74; *Whale*, 12,340–8; *Tagg*, 10,759–63; *Westacott*, 13,178, 13,179.
Comments on this proposal, *Dickinson*, 13,514.

INFECTIOUS DISEASES:
Notification of diseases sent to Metropolitan Asylums Board, and through them to the County Council; the County Council has power to declare diseases to be infectious, *Dickinson*, 1398–403.

IRISH SOCIETY, THE:
Appointed by the Corporation under Charter of James I. (26 March 1613) for the settlement and development of lands in Ulster, the money required being raised by levies upon the City Companies. The Society becoming involved in disputes with the Crown, the Charter was forfeited by Charles I., afterwards re-granted by Charles II., *Kemp*, 5597. Present management, application of revenues, *Kemp*, 5597–5601. Division of any surplus revenue, *Kemp*, 5601–34. Dissolution of the Society recommended by the Royal Commission of 1854 and the Select Committee of 1890; these recommendations have not been acted upon. Suit now pending in the Irish Court of Chancery for declaration of trusts, if any, on which the society holds its property, *Kemp*, 5637–58.
Proposals of County Council as regards, *Harrison*, 8953, 9131–3.
Comments thereon, *Cohen*, 12,884.

ISLINGTON (ST. MARY):
(i.) *Evidence* on behalf of Vestry of; *see* DEWEY.
(ii.) *Area* under control of Vestry of, *Dewey*, 11,381–3; *Costelloe*, 13,956–62; *Dickinson*, 13,655.
(iii.) *Rating authorities* in, *Dickinson*, 1228.

ISLINGTON CATTLE MARKET. *See* MARKETS.

JACKSON, MR. FRANK STATHER, Registrar of the Mayor's Court.
The Mayor's Court:
Witness confirms the evidence of the Recorder and Common Serjeant as regards the comparative costs of the Mayor's Court and the City of London Court, and the increase of work in the former, 7723–5, 7733–5. The practice of the Mayor's Court has recently been modernised under new rules, hence the important business is increasing and the small business is being diverted, 7726, 7727. Actions are now brought for very large sums, in which Queen's Counsel constantly appear, 7735–8.
Witness was, with the Registrar of the City of London Court and another officer, appointed a Commissioner to administer Oaths, without fee to the citizens, when the Bankruptcy Court Office in the City was removed. This was done by the Lord Chancellor at the request of the Corporation, which used to provide the office at the old Bankruptcy Court gratis, 7728–32.

JOHNSON, SIR SAMUEL GEORGE, Town Clerk of Nottingham.

ANALYSIS OF EVIDENCE.

Municipal Councils, Constitution and election of:
1. *Town Councillors:*
The foundation of the Town Council is the ward system, each ward returning the same number of town councillors, 9265–6. Of these one-third retire annually. They are almost always elected in Nottingham on political grounds, but once elected, their politics are lost sight of, 9285–93. Witness is not in favour of a triennial or annual election of the whole council. It would make too great a break in the continuity of the council's policy and action, 9271–84, 9293–302. Large wards are better than small, 9321–6. Cumulative voting is not needed in Nottingham for councillors, 9326–7. The wards in Nottingham vary somewhat in size as population grows. As a rule, they contain about 2,500 electors, 9327–30.

2. *Aldermen:*
There are also aldermen—in number one-third of the councillors—one for each ward, elected by the town councillors and aldermen for six years, half retiring every three years, 9266–70, 9317. It would perhaps be better if they were elected by the councillors only, 9331–3; and by cumulative voting, to enable the minority to obtain a representation, 9313–5. They strengthen the majority on the town council, and help to preserve a continuity of policy, 9277, 9303–4. As a rule, they have served for a long time as town

JOHNSON, SIR SAMUEL GEORGE, EVIDENCE OF—*cont.*
2. *Aldermen of Municipal Corporations*—cont.
councillors. If a councillor is made a magistrate, he is generally elected an alderman at the next vacancy, 9305–13, 9316. The proportion of aldermen to councillors—one-third—is convenient, 9317–8. There is no connexion between the aldermen and the wards, and it is better not to have any, 9319–21.

Population. Enlargement of Borough Boundaries:
The population of Nottingham is rather over 220,000; it has increased a good deal lately, but not in the years preceding the last census, 9334–7.
The borough of Nottingham was enlarged in 1876, so as to contain about 10,000 acres instead of 2,000 acres, as before. Four local boards, three rural sanitary authorities, and three school boards were thus absorbed, 9338–43. The extension met with opposition from the Duke of Newcastle only, as owner of Nottingham Park, who wished to keep up his own roads and get a differential rating on that account. His opposition was overcome, and he has since changed his views and wishes to give up the roads, 9344–8. Similar opposition from owners of large estates around has prevented the extension of the boundaries of the City of London, 9349–52.

3. *Work of the Corporation of Nottingham:*
i. *Matters over which the Corporation exercise jurisdiction.*
(1.) Corporate estates, producing 30,000*l.* a year, being mostly in or near the town, 9359, 9769–71. The benefit of these was extended to the whole borough on enlargement, and not confined to the old town. It is the portions taken in which have benefited most, but the old town has also benefited by sanitary improvements and improved administration generally in the new part, 9353–8. Even if the parts taken in on enlargement had been well organised before, the old town would have favoured the extension as tending to enlargement of views, in spite of their losing financially thereby, 9359–67.
(2.) Markets (5), producing a gross revenue of 8,000*l.*, and a net profit of 3,000*l.* a year, managed by the clerk of the markets and his staff, who collect the tolls. Fish, vegetables, and fruits, &c. are sold wholesale in the morning, and by retail afterwards. There are no other markets in Nottingham except these, 9367–9, 9625–32.
(3.) Weights and measures and inspection of public weighing machines under the control of the clerk of the markets, 9369, 9633–4.
(4.) Parks and recreation grounds, including cricket grounds, 9369–70, 9763–4.
(5.) Burial grounds, 9370–1.
(6.) Public baths and washhouses, 9371.
(7.) Police: Strength of force, 224, cost 25,000*l.* per annum, controlled by Watch Committee, except on points of discipline, which are in the hands of the chief constable, subject to an appeal to the Watch Committee, and from it again to the Council, but this is very rarely exercised, 9371–81, 9635–8, 9665. In cases of disturbances the chief constable reports to the chairman of the Watch Committee and the Mayor, who would summon the magistrates, and they and the Watch Committee would appoint a joint committee to act together, 9639–53. The chief constable is appointed by the Town Council on the recommendation of the Watch Committee, but may be dismissed by the magistrates for cause, 9654–7. On the extension the borough police superseded the county police in the new area, terms being arranged with the county authority. The union was a great advantage in every way. Witness knows of no point at which the area of a borough would become too large for a single police force, or for municipal management generally, provided it be geographically suitable for drainage, water supply, &c., 9373–5, 9672–83. The Chief Constable acts a good deal on his own responsibility in matters of crime and discipline, 9658–67. The chairman of the Watch Committee signs the punishment book at each meeting, generally without comment, 9665. The watch committee

JOHNSON, SIR SAMUEL GEORGE, Evidence of —*cont.*

3. i. (7.) *Work of the Corporation of Nottingham*—cont. mainly looks after pay and clothing, not with police arrangements, 9669–70.

(8.) Fire brigade, costing 1,800*l.* a year, 9382.

(9.) Administration of justice, prosecution of offences committed within the borough at petty sessions, quarter sessions, and assizes. Fees and fines received, 3,200*l.* a year, 9382.

(10.) Free public libraries, 1 central, 13 branch. Supported by 1*d.* rate and ½*d.* from gas proceeds. Buildings formed by Corporation under Act of 1874, 9382, 9620.

(11.) University College, including a Natural History Museum, with 7 professors and 52 teachers and assistants, giving a classical, modern, scientific, and technical education, costing 11,000*l.*, less fees, &c 3,200*l.* a year. The original cost was 100,000*l.*, besides the value of the land. Some private subscriptions were received. The college is managed by a committee of management, containing representatives of Oxford, Cambridge, and London Universities, as well as of the Corporation. There is also a board of professors, who report to the committee. The committee of management appoints the principal and professors. A portion only of the technical education grant goes to the college, 9382, 9592–614.

(12.) Municipal School of Art in connexion with South Kensington, costing 2,800*l.* a year, taken over from a voluntary committee which got into difficulties; important in connexion with lace trade, 9382, 9383, 9621–4.

(13.) The Castle Museum, costing 3,800*l.* a year, 9383.

(14.) Town improvements, purchase of property for street and other improvements, the annual cost, which varies, being raised by loan, *ib.*

(15.) Streets and roads, construction, maintenance, and scavenging of 165 miles: cost 16,000*l.* a year, *ib.*

(16.) Sewage and drainage, sewage farm, &c., for which a high rent is paid, cost of sewers 4,000*l.*, of farm 8,000*l.* a year, 9383, 9778–80.

(17.) Removal of house refuse, 200 employed, 9383.

(18.) Public health, inspection of property, general sanitary administration, provision of lavatories and drinking fountains, inspection and analysis of food, &c., annual cost 37,000*l.*, *ib.*

(19.) Epidemic Hospital, costing 4,500*l.* a year, *ib.*

(20.) Pauper Lunatic Asylum, costing 19,000*l.* a year, 9383, 9763.

(21.) Public lighting of streets, roads, and public places. Annual cost 13,000*l.*, 9383.

(22.) Meteorological observations taken and recorded, time current obtained from Greenwich, and clocks regulated, 9383.

(23.) Garden allotments, established for more than a century, some are quite in the town, and there is difficulty when they are wanted for building: they let for more than agricultural but less than building land, 9383–5, 9765–77; there is a scale for tenants' compensation on disturbance, 9820–4.

(24.) Electric lighting, now being carried out, 9385.

(25.) Gas supply, including manufacture of bye products from residuals, annual income, 293,000*l.* The Corporation largely supplies the county, 9385–92; and has contracts with public authorities outside, 9710–17; the gasworks are managed by a committee, who appoint a manager and engineer. Subject to a maximum, the Corporation may charge any price for gas it chooses, and the profits may be applied as it thinks best for the general benefit of the town. As a matter of fact, the price charged is low, 2*s.* 1*d.* a 1,000 feet, just giving a return of 2½ per cent. on the capital invested, besides 3½ per cent. interest on the gas debt, 9684–97. The quality of the gas is tested by independent officials, 9697–9. There was a difficulty with the workmen a few years ago, but none recently. The standard rate of wages is paid, 9698–709. The electric light is now being introduced, 9718.

(26.) Water supply. The Corporation also supplies a good deal of the county; the supply is derived from wells, 9390–2, 9720–9.

JOHNSON, SIR SAMUEL GEORGE, Evidence of —*cont.*

3. i. *Work of the Corporation of Nottingham*—cont.

(27.) Public buildings. Maintenance of Guildhall, police and sessions courts, police and fire stations, exchange, and mayor's reception room, 9392.

(28.) Office of sheriff. Sheriff appointed by Town Council; bill of cravings paid by Corporation, *ib.*

(29.) Coroner appointed by Town Council and paid by salary, 9392, 9825–6. The borough has been a county since the time of Henry II., and not merely made one by the Act of 1888, which practically added nothing to its work or dignities, except that theatre licences are now granted by the Watch Committee instead of by the borough magistrates, 9393–8. The borough has had since Henry II.'s time its own quarter sessions, assizes, lord lieutenant, and recorder, and separate commissions of oyer and terminer and gaol delivery, which are, as a matter of convenience, held at the same time as those of the county, and opened at the town hall, but transferred to the county hall for convenience of counsel, 9399–9402, 9781–8. The town council only wants the administration of poor relief and public education, which is very desirable, for there to be one body completely ruling the town, 9403–15. The school board area must be co-terminous with that of the borough, and the school board borrows from the Corporation on the credit of the borough rates, 9405–13. The convenience of the Corporation taking over the administration of poor relief is shown by the question of hospitals for infectious diseases, 9413–4. Control of Local Government Board useful to enforce a minimum, but not needed by a large corporation like Nottingham, 9414–22.

(ii.) *System of Committees of the Town Council:*

There are 18 standing and five special committees at present; the numbers on each vary from nine to 18, the average being 12. Every member of the Council is on some committee, and many on more than one, but, with rare exceptions, no man may, under standing order, be chairman of more than one standing committee, though he may be chairman of a standing and a special committee. This rule does not work very well, and should be altered, 9422–33, 9462.

Appointment of Committees:

The committees are appointed in November by the Town Council: as a rule the members stay on from year to year; vacancies are filled by the election of persons willing to serve. Each committee contains the same proportion of Liberals and Conservatives as the Town Council as a whole, 9434–7. There is now no general purposes committee acting as a committee of selection. There used to be one, but it was not found a good arrangement, 9438–9. The committees come to an end in law at the end of the year. The mayor is the first person elected by the Council, then the sheriff and aldermen (if any). Then they appoint the committees on the motion of the respective outgoing chairmen; in their absence, of the vice-chairmen; and in theirs, of the mayor. Both committees and chairmen are held to retain office till their successors are re-elected, 9440–50. It is open to any member of the town council to propose any one for a committee, but, practically, this is not done, and it is all left to the chairmen, 9451–61.

Working of Committees:

On being constituted, a committee presents, about the end of February, a report of its money requirements, "form of estimate," for the year from the 1st April. The several reports are collected by the finance committee into one budget with their observations showing the rate required to meet the expenditure, and presented by it to the town council about the end of March, 9463–78. The chairman of each committee has to propose his estimate, and justify it if it is disputed, 6475. When the estimates have been passed by the council, the chairman of the finance committee proposes the rate required to meet the expenditure, 9479–81; so long as the estimate is not exceeded the committees have full power over their expenditure, 9481–2. The way in which money is spent can be discussed on two occasions: on the annual report of the committee, and on

JOHNSON, SIR SAMUEL GEORGE, Evidence of —*cont.*

3. (ii.) *Working of Committees of the Corporation of Nottingham— cont.*

the auditors' report, 9482–3. There is no special committee reviewing expenditure generally, but any member can, on giving notice of motion, bring up any question for discussion in the council. This, however, is very rarely done, 9484–512. An attempt was made to give the finance committee control over all expenditure so as to get things into line, but it did not work well, the finance committee had not the necessary knowledge, and the other committees would not brook its interference, 9485–93, 9500–2. The council pays the standard rate of wages fixed by the Trades Unions, 9489. New expenditure proposed by a committee requires the consent of the council to the estimate. This obtained, the committee proceeds up to the limit sanctioned without further sanction, and the finance committee borrows any money needed, 9493–7. The estimates run through quickly unless some extraordinary work is proposed, 9498–9. If a committee is outrunning its authorised expenditure, the finance committee puts on pressure, and in the last resort stops its cheques, 9503. When payments are made each cheque is entered on an order sheet addressed to the treasurer and must be signed by three members of the finance committee, and countersigned by the town clerk after formal confirmation by the council, 9504–17. The proceedings of the several committees do not come up for confirmation at the monthly meetings of the council; if a committee has anything to bring before the council it does it by report, 9518–20. If an extraordinary work is in contemplation, *e.g.*, electric lighting, it would be brought by some member before the council, which would refer it to a committee to consider. The committee would go into it and probably ask leave to spend something on investigations. On its report detailed estimates would be called for, and the council would consider the matter again in the light of the estimates, and decide whether to have the thing or not. If it decided for it the matter would again be relegated to a committee to carry out within the limits of the approved estimate, 9521–36; altogether it would come before the council at least three times, 9537–8. Reporters are present at the meetings of the council but not of committees, 9539. Members of the council may attend meetings of committees to which they do not belong on sufferance only, 9540–1.

The Town Clerk, functions of:

The town clerk is the professional adviser of the Corporation and attends as many committee meetings as possible, conducts all public prosecutions in the borough and all actions in which the corporation is interested. He is the head of the staff of officials. The engineer, medical officer of health, and chief constable consult with him on important matters. He has a deputy and two assistants with whom he shares the committees, 9542–5. The Local Government Act of 1888 practically made no difference in the organisation of his office, 9544.

Chief of Staff:

Witness thinks that a permanent officer as chief of the staff is decidedly preferable to a paid member of the council as deputy chairman, as being more independent of party, and better able to secure continuity of administration, 9827–32, 9847–9, 9866–9. At Nottingham the more important orders of the several committees go to their officers through the town clerk, 9833–6, but he does not give directions of his own motion to the other superior officers, except perhaps in very urgent cases, 9854–65. He is as a rule consulted on all important questions, and on promotions, increases of salaries, &c., 9836–46. He has a right to speak in full council, 9850–3. He conducts all the correspondence of the corporation, and most of the mayor's, with external persons and bodies, 9870–5.

The Borough Engineer:

The engineer receives his orders from the committee through the town clerk except in urgent cases, in which the chairman may give him orders direct, obtaining *ex post facto* authority

JOHNSON, SIR SAMUEL GEORGE, Evidence of —*cont.*

The Borough Engineer of Nottingham—cont.

from his committee afterwards, 9545–8. Under the engineer are the estates surveyor, the building surveyor, and the road surveyor, and a special staff for private improvement works, 9559.

The Borough Accountant:

The accountant keeps accounts and draws cheques; he holds a peculiar position, as the treasurer is a banker. The two offices should be amalgamated in one corporation officer, 9549–53.

The Medical Officer of Health:

The medical officer has under him a resident surgeon at the epidemic hospitals. He works entirely with the health committee, which appoint him subject to confirmation of the council, which alone can displace him as he is a statutory officer, 9554–70. He has statutory duties independent of the town council, may report on unhealthy areas and improvement schemes, and holds a very independent position, 9571–8.

There is no system of pensions in Nottingham, employment of some kind is, as a rule, found for all officers up to their death, or they are given a pension on retirement, each case being dealt with on its merits, 9579–91.

The Mayor:

The Mayor takes a considerable part in municipal business, is *ex officio* a member of all committees, but rarely attends them as he has so much other work, charitable, &c., to do. He has no salary, and spends from 1,000*l.* to 2,000*l.* on entertaining in his year of office, 9729–34, 9789–801.

The Sheriff:

The sheriff is usually elected from the council. He relieves the mayor in presiding at public meetings, minor entertainments, &c. Like the mayor he gets nothing from the corporation, which only pays the under-sheriff's bill of cravings. A sheriff will spend 500*l.* to 1,000*l.* in his year of office, 9729–34.

There were originally two sheriffs, but one was abolished in 1835, and it was contemplated in 1874 to abolish the second, but he was retained and has proved very useful, 9760–2.

County Organisation:

Besides the shrievalty, the lord lieutenancy is the only relic of the old county jurisdiction. In a great town the county almost merges in the city, 9735–40. The Borough of Nottingham is quite independent of the surrounding county, 9741–5. The lord lieutenant is *custos rotulorum*, but his office is a sinecure. He takes precedence of the high sheriff of the county, 9746–9. The borough quarter sessions grant new licenses to public-houses, but there is an appeal to quarter sessions in the county. Under the licensing Acts this is not a remnant of the old jurisdiction, 9750–8.

Organisation before 1835:

Nottingham used to be governed by a corporation elected by the freemen, much like the present city of London. Vacancies were filled by co-option, 9802–3. There was a Mickle-torn jury, which looked after nuisances, and regulated the price of bread, &c., 9803–5.

Nottingham had a mayor, sheriffs, aldermen, and common councillors elected by the freemen, 9805–8. Freemen still exist (about 2,000), as the freedom confers the parliamentary franchise, and their privileges pass by descent or apprenticeship, 9809–11. Their estates were transferred to the corporation a few years ago by a private Act, some compensation being given, 9812–5. There are unendowed almshouses confined to freemen, and open endowed almshouses, which are much more sought after, 9816–9.

JOHNSTON, Mr. ANDREW, Chairman of the Essex County Council.

Analysis of Evidence.

Experience as county councillor, magistrate, and formerly member of Parliament for the county of Essex, 8248–51.

1. *Police, organisation of, in the county of Essex:*

A considerable and populous area in the south-west of Essex is under the control of the Metropolitan Police, 8252–9. On the County Council the rural districts of Essex have larger proportionate representation than the urban, and it

JOHNSTON, Mr. ANDREW, Evidence of—*cont.*
Police, Organisation of, in Essex—cont.
has been suggested that the area under the control of the Metropolitan Police should be formed into a separate administrative county, 8260–3. If this were done the police arrangements in that area might remain as at present, under the control of the Commissioner of Metropolitan Police and the Home Secretary, or the newly formed county might have its own police force, 8264–8. Population is increasing rapidly within this area, but hardly at all outside, 8269–71. Position of West Ham, just outside London, as a county borough without control of its police; parallel instances, *e.g.*, Croydon, 8272–8. If the proposed change is not carried out there will probably be a demand for the creation of new separate municipalities in the district, independent of West Ham, 8279-82; say three, Leyton, Walthamstow, and East Ham, 8289–91; but there is no real desire otherwise for a change in the control of the police, 8280–5. If the new county were formed as proposed, it might arrange with West Ham and with the other suggested boroughs if formed, for a united police force, controlled by a joint committee, 8286–8, 8292, 8304–9. It would be convenient that West Ham should be united for police purposes either with London or the proposed new county of South-west Essex 8293–4; 8300–3. The population of West Ham is 240,000, and of the proposed new county 209,000, but the latter is increasing the faster, 8295–9. There is no real discontent with the control of the Metropolitan Police over this part of Essex, and probably none as regards the other counties interested, 8310–5. The existing limits and jurisdictions of the Metropolitan Police might be retained, and its control transferred from the Crown to a joint committee representing the different authorities concerned, but this would be unpopular with the outside areas, 8316–9. It would be preferable to separate the suburban portions of each county and make separate administrative counties of them, or leave things as they are, 8320–6. If separate counties were formed it would meet some difficulties now existing as to magisterial jurisdiction, 8327–9. So long as the control of the Metropolitan Police remains with the Crown, no alteration is needed outside; the suggestion of the creation of separate administrative counties of the suburban districts of Essex, &c., is only in the event of the control of the London Police being given to the Local Authority, 8330.
2. *Epping Forest Committee, constitution of:*
The committee now consists of 12 representatives of the City corporation, and four verderers elected locally by the commoners, 8331.
(i.) If it were made a Committee of the London County Council, the number of local representatives should be increased, 8331–6. There is practically no divergence of interest or opinion between the City representatives and the local verderers as regards the management of the forest, 8337–40. Occasionally complaints are made by persons claiming to be commoners, and every endeavour is made to satisfy them if they are well founded, 8341–8.
(ii.) An election of verderers only occurs once every 7 years, and vacancies occurring amongst the verderers are now filled by co-option by the whole body, instead of election by the commoners. This should be reversed, 8348–53.

JURY LISTS, *Preparation of:*
In City.—Lists now made out by ward clerks and revised by common councilmen and allowed by alderman of ward.
Outside City.—Lists made out by overseers (or vestries &c., exercising their powers) and revised by justices.
The preparation should be in the hands of the local authorities, *Bonthron*, 13,352–61; 13,400–1; *Boulnois*, 12,575–8; *Harris*, 13,068–71; *Holland*, 13,912–20; *Leete*, 10,559; *Robinson*, 11,816–20; *J. E. Smith*, 12,235–44; *Tagg*, 10,726–34, 10,808–11; *Dickinson*, 13,629.

JUSTICE, ADMINISTRATION OF, by Magistrates &c.:
In (*a*) the County of London; (*b*) the [County of the] City of London.
See County of London and County of City of London.

JUSTICES, COUNTY AND BOROUGH:
Appointment, qualifications, and judicial and administrative powers of, respectively, *Kemp*, 6142–55.

JUSTICES IN QUARTER SESSIONS:
1. *For the County of London:*
Quarter Sessions are regulated by a scheme issued by the Home Secretary at the instance of the London County Council, under the Act of 1888, *Judges, &c.*; *Kemp*, 6042–89.
Appeals to, in assessment cases, from assessment committees of vestries; two aldermen have right of sitting as members of court in City appeals, *Rotton*, 658; *Cohen*, 12,884.
Consent of justices necessary for the permanent closing of a highway, *Holland*, 11,990–4.
Industrial and Reformatory Schools:
Mayford School taken over by County Council from quarter sessions, *Dickinson*, 1309–17.
2. *For the (County of the) City of London:*
The Court of the Lord Mayor and Aldermen is the Court of Quarter Sessions, *Kemp*, 6114–22.
Appeals from City Licensing Sessions, *Youle*, 7172–4.
Assent of, necessary for stopping a right of way, *Rotton*, 498–506; *Holland*, 11,990–4.
Appeals to in questions of audit in case of Commissioners of Sewers, *Bridgman*, 1759–69.
See also County of London and County of City of London (*a.* ii.) and (*b.* iii.).

KEEVIL, Mr. Edward Colston, Member of the Vestry of St. James's, Westminster, and a Freeman of the City of London.
Analysis of Evidence.
St. James's parish ought to be grouped for administrative purposes with one or other of the adjoining parishes, preferably with the rest of the Strand parliamentary division; this would induce a better class of men to come forward as candidates for the local body, 13,452–62. Witness thinks the County Council an excellent body, doing admirable work, 13,463–4. Would not transfer any of its present functions to the local bodies, but would give it control over assessments which are now entrusted to men with imperfect knowledge of the subject, 13,465–77. As a freeman of the City witness thinks that its boundaries should be extended so as to embrace the whole of London, the Guildhall being the centre, and the old historical associations being retained, 13,478–81. The City itself might be governed by a lower chamber of the common councillors, 13,482–6.

KEMP, Mr. JOHN, Secretary to the Special Committee of the London County Council.
Analysis of Evidence of.
Witness is a barrister and secretary to the special committee of the London County Council on London government, 4496–7. In this capacity has prepared a memorandum (handed in) on the Corporation of the City of London, the County of London, and the County of the City of London. Proceeds to give evidence thereon, 4498, 4504.
See Appendix.
1. The City and the Liberties and the Borough of Southwark.
The City may be divided into London within and without the walls, 4505–10. It might have extended its jurisdiction beyond the bounds of the liberties, but could not have so extended its customs without special statutory authority, 4511–7. Outside its boundaries its jurisdiction was limited only by other jurisdictions, 4518–21. Power of extension does not now exist, 4522.
The senior alderman is always now, if willing, alderman for the Ward of Bridge Without, 4523–33; though in the earliest times the electors of the ward chose their own alderman, 4523–33 (*but see also* 5898).
2. The Charters and Customs.
The Corporation has no original charter defining its constitution, but several overlying charters confirming its privileges, &c., 4534–5. It might be dissolved by a failure of liverymen, 4536–43. Witness thinks some of the customs of the City, such as every shop being market overt, should not be extended over the metropolis generally, 4544–60 (*see also* 5910–34, *and Savill*, 7707).

KEMP, Mr. JOHN, Evidence of—*cont.*

2. Charters, &c. of the Corporation—*cont.*

Power of the Corporation to reform itself.

The Court of Common Council has power, confirmed by charter of 15 Edward III., "Where any customs "theretofore used and obtained proved hard and "defective, or any matters newly arising within "the city needed amendment, and no remedy had "been previously provided, to apply and ordain a "convenient remedy so often as it should seem ex-"pedient, so that the same were agreeable to good "faith and reason, for the common advantage of "the citizens and other liege subjects sojourning "with them, and useful to King and people," 4561–3. The validity of acts of Common Council has been tested in the superior courts, which have upheld it, 4564–73. Limitations of the power and its exercise, 4574–84.

3. The Election of the Principal Officers and the Members of the Governing Bodies.

(*a.*) *Election of Lord Mayor.*

Mode of election settled by the Act 11 Geo. 1. c. 18. Two aldermen who have served as sheriff are nominated by such persons as have been liverymen of a company for one year, and are freemen of London; and one of these is selected by the court of aldermen, 4585–9.

(*b.*) *Other Elections in Common Hall.*

The same constituency elects the sheriffs, the chamberlain, the bridgemasters, the auditors of chamberlain's and bridgemasters' accounts, and the aleconners, 4590–5.

4. The Lord Mayor.

The Lord Mayor is perpetual escheator in the City and Southwark (escheats are rare), 4596–8. He has a seal of his own, 4599, 4610. He is by statute chairman of the Commissioners of Sewers, but not ex-officio chairman of any other committees, 4611–20 (*see also* 5898–9.)

5. The Aldermen.

The senior alderman who has passed the chair may remove to the Ward of Bridge Without; if he declines, the next in seniority has the option, and if all who have passed the chair decline, the Common Council may appoint any freeman, 4621–3; *see also* 4523–33, 5898. Limits of power of court of aldermen to order expenditure. The Court cannot deal with land, having no seal. In practice its expenditure is confined to magisterial and charitable purposes, 4624–9. The Court of Alder men can remove the Commissioner of City Police without the consent of the Queen or the Home Secretary, and *vice versa*, 4630–3; *see also* 4842.

6. The Common Council.

The procedure of the Court is generally similar to that of the House of Commons, 4634–8. Officers of the Council may speak when desired, 4639–49. The Lord Mayor and two aldermen must be present; their votes do not count differently from those of other members, 4650–1. The concurrence of the two orders of aldermen and common councilmen is not necessary, 4652.

7. The Citizens.

The freedom of the City may be acquired in three ways:—

(1.) By patrimony or birth.
(2.) By apprenticeship or servitude.
(3.) By redemption (and gift) from the court of aldermen, 4653.

Strictly speaking, only freemen are citizens, but non-freemen (corporators) have a vote for election of common councilmen, 4654–8.

(1.) *Freedom by Patrimony.*

Women may be free (sisters) of the City, 4659–61, but they do not vote, except perhaps as householders paying scot and bearing lot, 4666, 4667; their children are not free unless their father is also a freeman, 4670–3; the place of birth is immaterial, 4671.

(2.) *Freedom by Servitude.*

This is acquired by apprenticeship, at the close of which admission to the freedom is given by the Chamberlain, 4668, 4669.

KEMP, Mr. JOHN, Evidence of—*cont.*

7. The Citizens—*cont.*

(3.) *Freedom by Redemption.*

(*a.*) must be obtained where there has been a breach of the apprenticeship indentures;
(*b.*) is conferred on strangers (by gift) for public services (honorary freedom);
(*c.*) is obtained where the admission is by present-ment by the Chamberlain, &c.

All these are obtained from the court of aldermen, but the consent of the Common Council is also required where the applicant is an alien or an alien's son, 4674–84.

It has not been necessary since 1838 for a person to be a member of a company to become a freeman, 4685–90. Since 1856 trading in the City has been open to everyone, 4691–3. The customs of the City apply only to freemen, except those of market overt and foreign attachment, 4694, 4695. The Lord Mayor's Court can disfranchise, 4696–700. Privileges of freemen mainly in respect of charities, &c., 4702–9.

8. The City Courts.

(a.) *The Court of Hustings* (practically obsolete).

This consists of two divisions—"The Husting of Pleas of Land" and "The Husting of Common Pleas." The judges in both are the Lord Mayor and the sheriffs. The latter court used to be the court of appeal in error from the sheriffs' court. The Court of Hustings is the proper court for the enrolment of deeds and wills in the City, but no wills have been enrolled since 1668, and there are only a few deeds enrolled, mostly relating to scholarships at the City of London School, 4713. The court is practically obsolete, and the Corporation introduced Bills to abolish it in 1867 and 1871, but they did not pass, 4714–27.

(b.) *The Lord Mayor's Court.*

This is a customary court of record existing from time immemorial, having jurisdiction both at common law and equity. On the common law side the Court consists of the Recorder or the Assistant Judge, sitting with a jury, 4728. The Recorder is appointed by the Corporation, but the consent of the Crown is necessary before he can exercise judicial functions, 4770–2. The Court was declared an inferior court in a judgment given in 1847, and the special privileges of the four common pleaders were abolished on compensation in 1852, and of the four attorneys in 1853, 4728–43. Acts regulating the court and appeals from it were passed in 1857 and subsequently, 4744–8. The peculiar power of "foreign attachment" possessed by the court has now become of little value, 4749–68. There is also the obsolescent power of sequestration, 4769. There is no limit to the amount for which actions may be brought in the court, 4773. Actions, the cause of which arises within the jurisdiction of the court may be tried in the Mayor's Court, 4774–8. The business done there is considerable, owing to the advantages which it offers, 4779–92.

(c.) *The City of London (formerly the Sheriffs') Court.*

The change of title was effected in 1867. It is practically a county court, 4793–6. The judge has hitherto been appointed by the Corporation, but in future the appointment will rest with the Crown, under the Local Government Act, 1888, 4772, 4796, 4797. The Corporation pays his salary and the expenses of the court, and takes the fees, which are on the county court scale, and produce a net profit. The Act of 1888 revived certain of the privileges of the court, 4798–811.

(d.) *The Court of the Borough of Southwark.*

This court has cognizance of all personal actions at common law, without any limitation of value or amount, arising within the mayor's jurisdiction in Southwark, 4812. The limits of this jurisdiction, 4812. The court is practically obsolete, 4812.

(e.) *Judicial Powers of the City Chamberlain.*

The Chamberlain has power to hear and determine all cases or complaints between masters and their apprentices, and may commit either to Bridewell, 4814. This power is still exercised, 4815–27. There is a concurrent jurisdiction at the police courts, 4828–37 (*see also* 5900).

KEMP, MR. JOHN, EVIDENCE OF—*cont.*

8. THE CITY COURTS—*cont.*

(f.) *The London Chamber of Arbitration.*

The Chamber has been recently founded. It is managed by a committee of 12, appointed by the Corporation and the London Chamber of Commerce. It sits at the Guildhall, and has recently published a book of rules of procedure, 4838–9.

9. THE CITY POLICE.

(i.) *Organisation* of, under a commissioner appointed by Common Council, subject to the approval of the Queen, and removable by the Court of Aldermen or the Queen for cause, 4630–3, 4842. If not already a justice of the City, he may be appointed one, with limited authority, by the Queen on a petition from the Courts of Aldermen and Common Council for so long as he holds office, 4842–8. Other privileges and disabilities, 4849–56. He appoints the constables, &c., whose number is fixed by the Common Council, 4856. His powers under the Act of 1867, &c. to regulate traffic in the City on ordinary and special occasions, 4856–80.

(ii.) *Pay, &c. (of).*—The Corporation pays out of its general revenue one-fourth of the expenses of the force, the remainder coming out of the police rate, which is levied on the wards, together with the ward rate to meet ward expenses, 4881–98.

10. THE REGULATION OF TRADE.

The Corporation has still a right of compulsory metage of fruit and edible roots, though it is now only exercised voluntarily. The old right under charter of compulsory metage on grain was made voluntary by the Act of 1872, 4899–910.

11. THE CITY MARKETS.

A charter of 1 Edward III. (1327) granted that no market should be erected within 7 leucas of the City, thus giving the City, which was all open market, a monopoly of market rights within this area, 4911–26. This monopoly has been recognised at law, 4926–53. The Corporation may move, and often has moved, the sites of markets in the City, 4954–7. Case of Honey Lane Market, established under the Act 22 Chas. II. c. 11. On the ground that the Corporation had levied tolls in the market in spite of the Act, the charters of the City were, on Judge Jeffreys' advice, declared forfeited till 1689, when the forfeiture was declared null and void, 4957–70.

The Corporation farmed the markets up to 1771 and opposed all grants for the erection of new markets; but other markets have come into existence within the 7 mile radius, *e.g.*, Covent Garden, by charter to the Duke of Bedford, of 22 Chas. II.; Spitalfields, by charter of 34 Chas. II., 4971–86. Hungerford (Stratford) Market was established with the consent of the Corporation, which has never opposed retail markets, 4987–5006.

The existing Corporation markets are—

1. The London Central Markets, viz.,—
   (*a.*) The London Central Meat, Poultry, and Provision Market, 5007–11, 5017–23;
   (*b.*) The London Central General Market, 5007.
2. Smithfield Hay Market, 5007, 5044–55.
3. The Metropolitan Cattle Market (Islington), 5007, 5056–65.
4. Leadenhall Market, 5007, 5066.
5. Billingsgate (Fish) Market, 5007, 5024–35, 5066–88.
6. The London Coal Market (held in the Coal Exchange), 5007, 5089–5146.
7. Deptford Cattle Market, 5146–62.

1. Most of the meat, &c. sent to the Central Markets comes by van from the terminal stations (or wharves), and not by connecting railways, 5017–23; but the Great Northern Railway Company are increasing their accommodation at the market, 5038–48.

1, 3, 5. At Billingsgate and the Central Fish Market there are inspectors of fish (fishmeters) appointed by the Fishmongers' Company, 5025–35, 5071–6. At the Cattle Market the inspectors are appointed by the Board of Agriculture (except a veterinary inspector appointed by the Corporation), at the Central Meat Market by the Commissioners of Sewers, 5035, 5056–61.

The accommodation at Billingsgate is so limited that the same stall is often let to two persons on the same day, morning and evening, 5666–70, 5077.

KEMP, MR. JOHN, EVIDENCE OF—*cont.*

11. THE CITY MARKETS—*cont.*

The approaches are inconvenient, but have been recently improved, 5078–82. The Corporation wishes to get another fish market established, but dealers cling to Billingsgate, 5083–8.

Newgate Market was abolished in 1861, 5036*a*.

Farringdon Market was originally used for vegetables, and after 1882 converted into a fish market, but it was not a success, and was discontinued in 1892, 5036*a*, 5037.

2. Most of the hay is sold not at Smithfield, but at the railway stations, but a good deal comes by water, 5048–55.

4. Leadenhall Market is a very ancient prescriptive market for meat, poultry, &c. It was removed under an Act of 1879, 5066.

6. The Coal Market is held under the Act 1 & 2 Wm. IV. c. lxxvi. in the Coal Exchange; no toll is now levied, but rents are charged. History of the 1*d.* a ton duty, 5089–116.

7. Deptford Cattle Market was established in 1869 by the Corporation, which was selected by the Government for the undertaking in preference to the Metropolitan Board of Works, 5146–51. The Corporation takes any profits, but was relieved by the Act of 1878 of the obligation to pay compensation in cases of cattle disease, 5151–62.

12. THE PROPERTY OF THE CORPORATION.

The purposes to which the general property of the City may be applied are not, as in the case of reformed municipalities, defined by Act of Parliament, and there is no trust which the Court of Chancery can enforce, only the rights of creditors must not be prejudiced by anything done, 5188–90.

(a.) *The City Estates.*

These lie mainly in the City, about Broad Street, originally sites of walls and gates or moorland. The Conduit Mead Estate, about Bond Street, Stratford Place, &c., was acquired in connexion with the efforts of the Corporation to supply the City with water by conduits, 5191–6. The Conduit Mead property is let on leases perpetually renewable on fine, with ground rents, 5197–206. The other City property is, as a rule, let by tender to the highest bidder, 5202–6.

(b.) *The Bridge House Estates.*

These are held in trust by the Corporation for the maintenance and repair of London Bridge (originally) and (by subsequent statutes) of Southwark, Blackfriars, and the Tower Bridges, 5207–18. Some of the estates were given by King John, and others by other people on the preaching of Peter the Hermit, 5207, 5208. The bridges are managed by a committee of the Common Council, 5212, 5213 (*see also* 5903).

(c.) *Blackfriars Bridge Estate.*

This consists of the revenues from surplus lands, &c remaining after the construction of the bridge and its approaches. These revenues come to about 800*l.* a year. Nothing is payable out of them, and they are carried forward year after year; Blackfriars Bridge is maintained out of the revenue of the Bridge House Estates, 5219–23.

(d.) *Gresham Estates.*

These are held by the Corporation under the will of Sir Thomas Gresham (1575), whereby he bequeathed his estates—consisting of the Royal Exchange and adjacent premises—after the death of his wife, in equal moieties between the Corporation and the Mercers' Company for 50 years, or for ever on getting a licence in mortmain, to establish lectures at his house in Bishopsgate Street (Gresham College), almshouses, and pensions, &c., 5223–5. A licence was not actually obtained till 1614, 5226. Subsequent history of Gresham College, connexion with Royal Society, 5227–48. The Exchange, the sole endowment of the college, was burnt in the Fire of London, but the college escaped, and was used by the City for public offices during the rebuilding of London, the lectures being suspended, 5248–53. The Corporation kept up the lectures till the new Exchange became again a source of revenue, 5254–61. In 1767 Gresham College was sold to the Government for an Excise office for

KEMP, MR. JOHN, EVIDENCE OF—*cont.*

12. (d.) *The Gresham Estates*—cont.

500*l.* a year, 5262. The lectures were kept on in the Royal Exchange, the professors being allowed to marry and their salaries being raised, but the attendance dwindled very greatly to about 10 in 1815, 5262. An almshouse was built in Whitecross Street, now removed to Brixton, 5262–4. The Exchange was burnt down again in 1838, and the lectures removed to the City of London School in Honey Lane, 5265, 5266. In 1843 the Corporation and Mercers' Company together built new Gresham College in Gresham Street at a cost of 13,000*l.*, 5266–73. The Royal Exchange was rebuilt about 1840 at a cost of 400,000*l.*, of which 190,000*l.* was borrowed, 73,800*l.* being still outstanding, 5274–95. This is being paid off at the rate of from 3,000*l.* to 4,000*l.* a year, 5296–5311. When all has been repaid, the surplus income will be available for the purposes of the trust, 5312, 5313. For many years the income did not suffice for the objects of the trust, 5311–3. A Royal Commission is now inquiring into the affairs of the College, 5314, 5315.

(e.) *Administration of Justice.*

The City courts exist by charter or prescription, though their procedure is now regulated by statutes. The net fees, after paying all the expenses, go to the Corporation as part of its general revenue, under charters of Henry VI. and Charles I. Fines and forfeitures also go to the Corporation. The officers of the courts were formerly paid by fees, but now all have salaries. The fees in the City of London Court are, by statute, the same as those in county courts, 5316. Other instances of courts being a source of profit to Corporations or individuals, 5317–26.

(f.) *Market Tolls.*

These have all been applied by statute to the payment of interest and repayment of principal of loans raised on the credit of the various markets under the Acts establishing or regulating them. The loans are all charged contingently upon the general estates and revenues of the Corporation, 5327; at present no charge falls on the Corporation estates, but if provision were made for repayment of capital in a limited period, the case might be different, 5328–33. There is probably no obligation on the Corporation to reduce the tolls when the loans have been paid off, 5334–40 (*see also* 5405–9).

(g.) *The Grain Duty.*

This duty, of $\frac{3}{16}$ths of a penny per cwt., was imposed by the Metage on Grain (Port of London) Act, 1872, on all grain brought into the port of London *for sale*, not in execution of orders, 5341–51; it does not apply to flour, 5352–5. The duty was by the Act directed to be held by the Corporation for the preservation of open spaces in the neighbourhood of London not within the Metropolis; and the Corporation was empowered to borrow 99,000*l.* upon its security, 5356. An Act of 1877 extended this borrowing power by 50,000*l.*, 5356. Under an Act of 1878 the Corporation was empowered to arrange with the Dean and Chapter of St. Paul's to lay out St. Paul's Churchyard as an open space, the expense being charged on the grain duty, 5356–73. The same Act empowered the Corporation to acquire by purchase or otherwise, and preserve as an open space, any common or open space within 25 miles of the City boundary, but without the Metropolis, at the expense of the grain duty, 5373. Epping Forest, Burnham Beeches, Coulsdon Commons, &c. were acquired under this and other Acts, 5373–81.

(h.) *Fruit Metage and Voluntary Grain Metage.*

The metage on fruit is under a charter of James, compulsory, but it is, like the grain metage, in practice only exercised voluntarily, 5382–7.

(i.) *Fees and Fines on admission to Freedom.*

The revenues derived from this source are appropriated to the support of the Freemen's Orphan School, under the Act 13 & 14 Vict. c. x., 5387.

(j.) *Library, Museum, and Art Gallery.*

These are managed by the Library Committee, and maintained out of the general revenues of the Corporation. They are free and open to the public, 5387–96.

KEMP, MR. JOHN, EVIDENCE OF—*cont.*

12. (k.) *Ecclesiastical Patronage.*

The Corporation is proprietor of the advowsons of St. Peter's, Cornhill, St. James's, Duke's Place, and St. Catherine Cree, alternately with Magdalene College, Cambridge; of St. Margaret Pattens, Rood Lane, alternately with the Crown; and of St. Bartholomew and St. Peter's, Bethnal Green, St. Mark's, Victoria Docks, and St. Mark's, Clerkenwell, absolutely. It presents to these livings by election by the Common Council, 5397–404.

13. ROYAL HOSPITALS, SCHOOLS, AND CHARITIES.

(a.) *The Royal Hospitals.*

Henry VIII., on the suppression of the monasteries, granted to the Corporation the hospitals of St. Bartholomew, Christ Church, and Bethlem, endowing the first with 500 marks a year. The Corporation bought the hospital of St. Thomas, Southwark, and Edward VI. confirmed this purchase, and granted also the King's Palace of Bridewell, 5410. Under the general system of poor laws established by Elizabeth, the hospitals were devoted to different purposes; St. Bartholomew's and St. Thomas', exclusively to the sick; Bethlem to lunatics; Christ Church became a school, and Bridewell a prison for apprentices and vagrants. The governors of these hospitals are incorporated, and have a common seal, which is kept by the Chamberlain, 5410, 5411. Christ's Hospital is now managed under a scheme made by the Charity Commissioners in 1890, 5411. The other hospitals are managed by governors, viz., all the aldermen, and 12 each appointed by the Common Council, the Lord Mayor being the head of all except Christ's Hospital, 5411–5. Each hospital has its own separate endowments, 5416, 5417. Bethlem, which is now joined to Bridewell, was originally founded by a sheriff of London for distracted people; and taken possession of by Henry VIII. with other religious houses, 5417–23. The Lord Mayor is entitled always to nominate a child on the foundation of Christ's Hospital, 5423. Formerly all the aldermen had the same privilege, 5424–6. This was taken away by the scheme of the Charity Commissioners, with most disastrous results to the school, 5427.

(b.) *The City of London School.*

This school was constituted under a private Act of 1834, which applied thereto certain estates left by John Carpenter, formerly Town Clerk, 5428, 5429. The school was originally built on the site of Honey Lane Market, and was removed under an Act of 1879 to the Thames Embankment, 5430–51. The new site was valued at 184,000*l.*, and the building cost 112,000*l.*, only about 95,000*l.* being realised by the sale of the old premises, 5451–5. The Corporation is under obligation to maintain the school in perpetuity, 5456–9. The only endowment is 900*l.*, charged on the Carpenter estates, but the fees might be so regulated as to make the school self-supporting, 5430–4, 5451, 5457–66. The masters are appointed by the Corporation, the two principal must have been examined by professors of King's College and London University (now the University College), 5434–49.

(c.) *The Guildhall School of Music.*

This is a voluntary institution, established in 1880. The new building, which cost 26,000*l.*, on the Embankment, was opened in 1886. The net cost, after deducting fees, &c., is about 2,700*l.* a year, which falls on the corporate revenues. The fees might be raised to make it self-supporting. There are various prizes and exhibitions, one of 150*l.* a year, coming from Mitchell's City of London Charity, 5467–73.

(d.) *The Freemen's Orphan School.*

This school was established in 1850, under a private Act, which devoted to this purpose the proceeds of the sale of the London Workhouse, which was acquired by the President and Governors of the Poor for the City of London under an Act of Charles II., and, having become unnecessary, was sold by them under an Act of Geo. IV. The Corporation bought a site at Brixton, and is

KEMP, Mr. JOHN, Evidence of—*cont.*

13. (d.) *The Freemen's Orphan School*—cont.

under obligation to maintain a school for the maintenance and religious education of orphans of freemen of the City of London for ever. The fees and fines payable on the admission of freemen are devoted to the maintenance of the school, but it is not nearly self-supporting, 5474–504.

(e.) *Almshouses.*

(i.) *The London Almshouses.*

These were established in 1832 to commemorate the passing of the Reform Bill, the Corporation subscribing 1,500*l.* As funds for their support were wanting, the Corporation took them over in 1847 and added to them. They are in Shepherd's Lane, Brixton. Married couples, widows, and spinsters are eligible inmates, if in the case of men they have been freemen and householders in the City for seven years, and, if women, the widows or daughters of such householders, 5505. Single men, or at all events widowers, seem to be eligible, 5506–9. The almshouses are managed by the committee of the Corporation which manages the Freemen's Orphan School. There are no special funds for their support, 5509–23.

(ii.) *Rogers' Almshouses, Brixton.*

William Rogers left 600*l.* to the Corporation in the reign of James I. to build almshouses for six aged couples, who should be freemen or freewomen of the city. The almshouses were originally in Hart Street, Cripplegate, but were removed to Brixton in 1856, 5524–8.

(iii.) *Gresham Almshouses.*

These were established under the will of Sir Thomas Gresham out of the Corporation moiety of the Royal Exchange. The almshouses formerly stood in Whitecross Street, but were removed in 1883 to Brixton, 5528–33. They are managed by the Gresham Estates Joint Committee, 5534–9.

(iv.) *Wilson's Loan Charity.*

This was established under the will of Samuel Wilson, who in 1766 left 20,000*l.* to the City Chamberlain to make loans at a low rate of interest to young tradesmen in the City or three miles of it. The charity was regulated by a scheme in 1868. The fund is now 41,000*l.*, 5540–4.

(v.) *Ward's City of London School for Girls.*

This was established under the will of William Ward of Brixton, who in 1882 left the Corporation 20,000*l.* to build and maintain a high school for girls. A school is being built on the Embankment, 5545–55.

(vi.) *Emanuel Hospital.*

This was founded in 1594 by Lady Anne Dacre, in James Street, Westminster, to provide a home for 20 men and women, and pensions for 10 men and women belonging to Hayes, Westminster, or Chelsea. She made the Lord Mayor and aldermen the governors after the decease of her executors. The site has recently been sold under a scheme, with the view of making all out pensions, 5556–9.

(vii.) *The United Westminster Schools.*

These also originated in Lady Anne Dacre's bequest. There are regulated by a scheme made by the Endowed Schools Commissioners in 1873. The Governors are the Lord Mayor, the Recorder, nine nominees of the court of aldermen, and 10 of the Westminster members of the London School Board, 5560.

(viii.) *The Mitchell (City of London) Charity.*

The funds of this charity are, under a scheme of 1883, applicable, one-third to the relief of the poor of the City of London, and two-thirds to the advancement, education, and benefit of the children of poor parents connected with the City. Of the trustees, four are appointed by the Corporation, three by the London School Board, and two by the Governors of Christ's Hospital, 5560–4.

KEMP, Mr. JOHN, Evidence of—*cont.*

13. (e.) (ix.) *Morden College.*

This was founded for in-pensioners and out-pensioners by Sir John Morden, by will, dated 1702, and regulated by a scheme of 1871. The governors were to be members of the East India Company, or, failing them, of the Turkey merchants, or, failing them, aldermen of the City, or, failing them, gentlemen of Kent. Two aldermen are now governors and soon all will be, 5564–9.

(x.) *Sir John Soane's Museum.*

Under the Act 3 & 4 Will. IV. c. xvi., the court of aldermen appoint one of five additional trustees, the other four being appointed by the Royal Society, the Royal Academy, the Royal Society of Antiquaries, and the Society for the Encouragement of Arts, Manufactures, and Commerce in the Adelphi, 5569.

(xi.) *Aske's Charity, Hoxton.*

This is a school belonging to the Haberdashers' Company, founded in 1688. The Courts of Aldermen and Common Council each appoint a manager, 5569.

(xii.) *City of London Parochial Charities.*

The Common Council appoints four members of the governing body created by the central scheme of the Charity Commissioners in 1890, 5569.

The Corporation also administers the income arising from a number of bequests made to it from time to time for charitable purposes, and it makes annual contributions out of its general funds for the support of the widows of freemen, 5569.

14. The Irish Society.

In 1609-10 James I., through the Privy Council, entered into an agreement with the Corporation to grant it lands in Ulster to be reclaimed from "superstition, rebellion, calamity, and poverty," on the stipulation that 20,000*l.* should be advanced and expended on the undertaking, 5570–81. The City, by act of Common Council, compulsorily levied this money, and ultimately in all 60,000*l.* on the incorporated companies of London, and on the 29th March 1613 the King granted a charter incorporating the Irish Society, to whom the lands were to belong for ever; the members of the society were to be appointed from time to time by the City for the management of the colony, 5581–90. The City divided most of the lands rateably amongst the contributory companies, but the town lands, ferries, fisheries, &c. were retained in the hands of the society, 5591–6. The society afterwards became involved in disputes with the Crown, and its Charter was forfeited by Charles I., but regranted by Charles II., 5597. The property of the society is managed by a committee of the Corporation, of which no one except the governor can be a member for more than two years. Its revenues are now used to meet the expenses of management and in grants to municipal institutions and educational and other local charities, 5597. No part of the revenues goes to the Corporation (except as purchasers of part of the estates from some of the smaller companies), 5598, 5601. Up to 1837 any surplus was divided amongst the contributing companies, but in the case of the Skinners' Company, 1838, it was laid down that the society was under an obligation to do this. A case bearing on the subject is now pending in the Irish Court of Chancery, 5601–34. The Commission of 1854 recommended the dissolution of the society, and the vesting of the estates in new trustees for Irish purposes; so did the Select Committee of 1890 (by a narrow majority), recommending that the lands should be sold and the proceeds applied to local and Irish purposes, 5635–6. These recommendations have not been acted on. The Corporation still appoints the society, and has always exercised a sort of visitatorial or superintending power over its conduct and proceedings. There is no complaint about the way the society is managed, 5637–58.

KEMP, Mr. JOHN, Evidence of—*cont.*

15. The Commissioners of Sewers.

(*a.*) *Early conception of municipal functions.*

In early times the Corporation regarded its municipal functions as confined principally to fostering the trade of the City, and safeguarding and regulating the mercantile interests and social relations of the citizens. It had power to prevent nuisances, 5659–70.

(*b.*) *Water Supply.*

The Corporation early took steps to secure a supply of water. This was got at first by carriers from the Thames, Fleet, Wallbrook, &c. Their conduits were laid to sources further afield (Tybourn, &c.) and cisterns erected in Westcheap and other places, 5671–6. This supply, however, proved in turn inadequate, and the London Bridge waterworks, worked by the tide, were established in 1582 by Peter Morrys, assisted by the Corporation with money, 5676–82. In 1606 the Corporation obtained an Act to take water from the neighbourhood of Ware, but after an ineffectual attempt abandoned its rights to Sir Hugh Myddleton in 1609, who succeeded, but embarked his whole fortune in the venture, getting no return in his lifetime. The Corporation would not give him any financial assistance, but the King did, getting in return a half share in the concern. The work was completed in 1613, and the New River Company incorporated in 1619, 5683. This was the sole supply for 100 years. The other companies were formed later. The Corporation has never since had anything to do with the supply of water to the City, though it has spent money in inquiries, &c., with the exception that the Commissioners of Sewers have one artesian well, completed in 1892, for the supply of their artisans' dwellings. The Corporation is the authority for the City of London under the Metropolis Water Act, 1871, 5683–8.

(*c.*) *Lighting.*

This was at one time done by the Corporation, which, before the establishment in 1810 of the Gas Light and Coke Company, used to light the City with oil lamps, the profits of which were devoted to the orphans' fund under an Act of William and Mary, 5689–96.

(*d.*) *Main Drainage.*

The earliest Commission of Sewers issued by the Crown was for dealing with surface water, floods, and sea walls, 5697, 5698. After the Great Fire the Corporation was authorised by the Act of 19 Car. II. to nominate commissioners of sewers to execute the Act, 5699. The districts outside the City had no municipal organisation, the sewerage, &c. being under the control of independent commissioners, appointed mainly under the Act 23 Hen. VIII. c. 5., 5700, 5701. Paving and the suppression of nuisances were regulated mainly by Michael Angelo Taylor's Act, 1817, which dealt generally with the area within the bills of mortality, 5702, 5703. The limits of this area at different times, 5704–10. The Commissioners of Sewers for the City were reconstituted under the Metropolitan Sewers Act, 1848, and in 1855 the Metropolitan Local Management Act was passed, carrying out various recommendations of the Royal Commission of 1853–4, under which the Metropolitan Board of Works (transformed by the Local Government Act, 1888) was appointed to deal with the main drainage, &c. of the whole metropolis, 5711–21.

16. The County of London and the County of the City of London.

(a.) *The County of London.*

The City of London has been a county from time immemorial, but the adjacent districts outside—within the area defined by the Metropolis Local Management Act, 1855—formed part of the counties of Middlesex, Essex, Surrey, and Kent, until the Local Government Act, 1888, which formed them into a county by themselves with a separate sheriff, commission of the peace, and court of quarter sessions, 5936–40. So the Administrative County of London, under the County

KEMP, Mr. JOHN, Evidence of—*cont.*

16. The County of London, and the County of the City of London—*cont.*

Council, contains both the County of the City of London and the County of London, 5941. The City of London is not a county borough, like Exeter, which is altogether independent of the surrounding county, inasmuch as it is subject to the County Council for some purposes, as main sewerage; its position is more analogous to that of a quarter sessions borough with a population between 10,000 and 50,000, 5942–87.

Police and Justices of the Peace.

The position of justices in London is different to that of justices in other counties, in consequence of the existence of the metropolitan police courts in the metropolitan police district, 5988–92. There are now 25 stipendiary magistrates in London, 5993–8. In some cases their districts extend outside the police district. Four cases:—

1. The parts of the police district assigned as divisions to the nine police courts established before 1840, viz., Marylebone, Bow Street, Westminster, Marlborough Street, Worship Street, Clerkenwell, Southwark, Thames, and Lambeth.
2. The parts of the police district assigned to police courts created by Order in Council under the Act of 1840.
3. The parts of the police district not assigned as a division to any police court, but under the jurisdiction of justices, or in one case of a stipendiary magistrate, whose usual place of sitting is within the police district.
4. The parts of the police district not assigned to any police court, but under the jurisdiction of justices, who ordinarily sit outside the district altogether, but no instance of this in the County of London, 5999–6007.

A stipendiary in cases 1 and 2 has the powers of two justices as regards all matters and offences at common law, and against statutes, arising or committed anywhere within the metropolitan police district, so he can sit at any court in the district. In all four cases no person residing within that part of the police district which has been assigned to any court can be required to appear outside the district with regard to any matter arising within it, 6008–18. In case 1 only no justice or clerk to such justice may take fees for any act done by them within that portion of the district belonging to the courts founded before 1840, except fees under the Metropolitan Police Acts, so an ordinary justice may sit in one of these police courts, except when the stipendiary is there, but may not take fees, 6019–9. In case 2 any two justices, within the limits of their commission, while sitting publicly at the police court, have all the powers and privileges of a stipendiary, 6019–20.

In case 3 any two justices, having jurisdiction within the district, have, while sitting together in the court used for petty sessions, nearly all the powers, privileges, and duties of a stipendiary. Persons charged with offences committed within this part of the district may also be charged before stipendiaries sitting in any other part of the district, 6021–3 (*see also Savill*, 7707).

In case 4 offences committed in the portion of the district against the common law or general law may be heard by the county justices, but persons charged with offences against the Metropolitan Police Acts must be brought to a police magistrate sitting in a police court, and there dealt with by him under those Acts, 6023–7.

Effect of these Acts within the City. The Lord Mayor or an alderman has nearly all the powers and privileges of a police magistrate as regards offences committed within the City, except as regards cases of extradition, in which the Home Secretary's warrant is always issued to the chief magistrate at Bow Street, 6028–30. The jurisdiction of the Lord Mayor and aldermen in the City, and of the police magistrates outside, are otherwise mutually exclusive, 6031–2. The police magistrates have no power to deal with matters directed to be dealt with at special sessions, *e.g.*, granting of licences, valuation appeals, revision of jury lists, 6033–8. Some powers and duties under

KEMP, Mr. JOHN, Evidence of—*cont.*

16. The County of London and the County of the City of London—*cont.*

the Lunacy Acts are common to both police magistrates and justices specially appointed by quarter sessions, 6037–41.

Quarter Sessions are now regulated by a scheme issued by the Home Secretary at the instance of the London County Council, under the Local Government Act, 1888, 6042–7. They are presided over by the late assistant judge of the Middlesex Sessions, who has power to appoint a deputy; but the chairman and deputy-chairman will in future be appointed by the Crown on the petition of the London County Council, 6048–51. Their remuneration is fixed by the Council, subject to a maximum stated in the petition, 6052–89.

The Sheriff is nominated like the sheriffs of other counties, his duties being, like theirs, mainly ceremonial, 6090–3.

The Lord Lieutenant has similar duties to other lord lieutenants elsewhere; he is custos rotulorum, appoints deputy-lieutenants, nominates to first commissions in the militia, &c., 6094–7.

Coroners are, as a rule, appointed as in other counties, but the rights of franchise coroners, including those appointed before 1888, otherwise than by the election of the freeholders in the county court, were reserved by the Act of 1888, 6098–6100.

(b.) *The County of the City of London.*

The City is a county in itself.

Sheriffs. From time immemorial the City had the right, confirmed frequently by charter, of appointing its own sheriff, and Henry VI. sold it the shrievalty of Middlesex also *inter alia* for a fee farm rent of 315*l.* It lost the latter shrievalty under the Act of 1888, and the fee farm rent (which had been sold by the Crown), was correspondingly reduced, 6101–7. In practice the two sheriffs of London used to act together as sheriff of Middlesex, 6108–10.

Administration of Justice.

The City is divided into two parts, by a line drawn east and west, and there are two corresponding justice rooms, one at the Mansion House, usually under the Lord Mayor, and the other at the Guildhall, under the aldermen sitting singly in rotation. Each has practically all the powers of a police magistrate, so far as regards the area of the City, 6111–4.

The Court of the Lord Mayor and Aldermen is the court of quarter sessions, though there seems to be some slight difference in their constitution, due probably to an oversight on the part of the draughtsman of the Act of 1888, 6114–22.

Commission of Lieutenancy.

There is no lord lieutenant, the lieutenancy being in commission, with the Lord Mayor at the head. The Commissioners levy the Trophy tax every three years for the support of the City of London Militia, now a battalion of the Royal Fusiliers, 6123.

17. The Central Criminal Court.

This court takes the place of the assizes for London and Middlesex and parts of Surrey, Kent, and Essex. There is a permanent standing commission, and the court sits every month. Its judges include the Lord Mayor and Aldermen of the City, the Recorder, the Common Serjeant, the Judge of the City of London Court, the Judges of the Supreme Court, and such other persons whose names are put on the Commission. Its district is, for the purpose of the court, a county, and corresponds with no other area, 6124–7. Under Palmer's Act, &c., prisoners may be removed by certiorari for trial at the Central Criminal Court for offences committed outside the area, and the court may try persons under the Mutiny Act, offences on the high seas, &c., 6128–35.

18. County and Borough Justices.

County and borough justices differ as regards the manner of their appointment, the nature of their qualifications, and the extent of their powers.

(i.) *Appointment:*

In boroughs, by the Lord Chancellor on his own responsibility (the mayor being a justice ex-officio during his year of office).

KEMP, Mr. JOHN, Evidence of—*cont.*

18. County and Borough Justices—*cont.*

In counties, by the Lord Chancellor on the recommendation of the lord lieutenant.

(ii.) *Qualification:*

In boroughs, residence within seven miles of, or occupation of a house, warehouse, &c. within, the borough.

In counties, ownership of land in the county worth 100*l.*, or occupation of a dwelling-house assessed at 100*l.* a year. Peers, &c. do not need this qualification.

(iii.) *Administrative powers:*

In boroughs justices grant licences, but do not manage the police, which is under the watch committee of the town councils.

In counties they grant licences and, jointly with the county council, they appoint the chief constable and fix the numbers and rates of pay of the county police, 6142.

At quarter sessions the county justices sit as a bench and try, whereas, in a borough, the recorder, if there is one, is sole judge in the court in criminal matters. In a few cases there is no recorder, and the justices continue to act in quarter sessions, 6150–5.

KENSAL GREEN:

Detached portion of Chelsea at. *See* CHELSEA.

KENSINGTON, ST. MARY ABBOTT'S, VESTRY OF:

(i.) *Evidence* on behalf of. *See* Leete and Wheeler (T. W.).

(ii.) *Area* under control of, *Costelloe*, 13,956–62; *Leete*, 10,524–40, 10,675–9, 13,215–8; *Dickinson*, 13,655.

(iii.) *Rating authorities in*, *Dickinson*, 1228.

KILBURN PARK. *See* WARD'S PEOPLE'S RECREATION GROUND.

KNOTT, Mr. FREDERICK SINGLETON, Principal Clerk in the Town Clerk's Office.

Analysis of Evidence.

Witness has special charge of the Corporation markets, 8050–2.

Markets:

Witness generally confirms the statements in the Corporation's Blue Book as regards the six Corporation markets: Billingsgate Market, London Central Markets, Metropolitan Cattle Market, Foreign Cattle Market, Leadenhall Market, and Smithfield Hay Market, 8053–8.

See Appendix III., pp. 46, 60–4.

Supplementary evidence as regards:—

Billingsgate Market:

The tolls were reduced on the representations of the trade in 1889. The market now produces a surplus revenue of 1,400*l.* per annum, but this includes no provision for paying off debt. As the Corporation has no separate purse for the markets such provision is not considered necessary, as the City estates are ample security for the market loans, 8059–71. Practically the whole of the space in the market is occupied and let. A slight extension of the market was made in 1878, and in 1888 Billingsgate Buildings, across the road, were built in response to a petition from the London Fish Trade Association, but have proved a financial failure, 8073–7. The Corporation opposed the Shadwell Market Bill and the Stratford Market Bill promoted by the Great Eastern Railway Company in the interests of the market bondholders and the public, 8078–81. It established the Inland Fish Market, at considerable expense, to meet a public demand, but it proved a failure, 8082–4.

The London Central Markets:

When Newgate Market was discontinued under the Act of 1861, a fund of about 9,000*l.* was distributed, 8085. The trade of the markets shows an apparent decrease, but actual increase, in 1893 over 1892, the year having one week less, 8085–8. About 9,000 persons are employed about the markets, the shops in which are quoted by the Royal Commission on Market Tolls as models of accommodation, 8089–91. The Corporation does not oppose

KNOTT, Mr. FREDERICK SINGLETON, Principal Clerk in the Town Clerk's Office—*cont.*

The London Central Markets—cont.

retail markets, but it does not think any further accommodation in that direction is required. Much of the retail trade, especially of fish, is in the hands of costermongers, 8092–9. Witness cannot say anything about the general finance of the markets, and its relation to the whole finance of the Corporation, 8101. The markets are admittedly well managed, 8102–6.

Metropolitan Cattle Market:

There is an annual loss on this market due to its having to be periodically closed on account of disease, 8106. Two buildings at the market originally erected for taverns were converted into artizans' dwellings, 8106.

LAMBETH:

1. *Evidence* on behalf of vestry of. *See* H. J. Smith.
2. *Area, &c., of, H. J. Smith,* 11,683–700; *Costelloe,* 13,956–62.
3. *Rating authorities in, Dickinson,* 1228.

LAND, ACQUISITION OF. *See* ACQUISITION OF LAND.

LANGHAM, Mr. SAMUEL FREDERICK, Coroner of the City of London and Southwark.

Analysis of Evidence.

Confirms the portion of the City statement relating to the coroner which he supplements with later figures than are there given, 7997–8001.

See Appendix III.

LEADENHALL MARKET. *See* MARKETS.

LEE RIVER:

(i.) Bridges over. *See* BRIDGES.

(ii.) Conservancy of:

(*a.*) Constitution of, *Harrison,* 8944, 8945.

(*b.*) Powers of as to the pollution of the river, *Dickinson,* 1448–51.

LEE DISTRICT BOARD OF WORKS:

1. *Evidence* on behalf of. *See* Whale.
2. *Area* under control of (recently separated from Plumstead for local government purposes), *Whale,* 12,282–96, 12,318–23; *Costelloe,* 13,985; *Dickinson,* 13,652–9; *Bonthron,* 13,380.

LEETE, Mr. WILLIAM CHAMBERS, Clerk, and WHEELER, Mr. T. WHITTINBURY, Q.C., a Member of the Vestry of St. Mary Abbott's, Kensington.

Analysis of Evidence.

The parish of Kensington is, from its area (2,245 acres with 22,000 inhabited houses), population (166,300), and rateable value (2,050,000*l.*) on a par with all but the very largest county boroughs, and it (and other similar districts) should be an independent municipal borough itself, except as regards such matters as, from the geographical situation, can better be managed by one central body for all London, 10,524–36, 10,675–9, 13,215–8. A resolution to this effect was recently passed by the vestry of Kensington, 10,537–40. The vestry consists of 120 members, 40 from each of the three wards, one-third retiring every year. The mode of election has been altered by the Local Government Act of 1894, 10,541–58. The present distribution of functions between the central (County Council) and local bodies (vestries and district boards) might be improved, especially as regards the administration of the Metropolitan Building Acts, street nomenclature, licensing of cowhouses and dairies, the maintenance of open spaces, electric lighting, &c. Resolutions to this effect were passed at a meeting of metropolitan local authorities convened by the Chelsea vestry in 1891, 10,559–68, 10,664–5, 10,673. The smaller vestries would have to be grouped in any scheme for separate municipalities in London, 10,594–7. The aspirations of Kensington and other vestries would not be satisfied by merely being given a fresh title, such as district council,—though that would be an improvement on the name vestry,—or by calling their chairmen mayors. They want the powers of a separate municipality too, 10,598–631, 10,673–4.

The relations between the central and local bodies might be improved by bringing the two into closer

LEETE, Mr. WILLIAM CHAMBERS; WHEELER, Mr. T. W., Q.C., Evidence of—*cont.*

connexion, *e.g.*, by making the county council members of the district *ex officio* members also of the vestry; by making the chairman of the vestry *ex officio* a member of the County Council, &c. The members for both bodies might, if the qualifications for the electors for the vestries and County Council were assimilated, be elected together, the first on the list being the county councillors, and the remainder the vestrymen, 10,632–50, 10,674. The boundaries of Chelsea and the adjacent districts need adjusting, a part of the former being detached, 10,651–4. The existing Parliamentary boroughs in London would probably make the best areas for new municipal boroughs, 10,654–63. It is very undesirable that all the affairs of the whole of London should be managed from one centre by one large body, 10,664–70.

The local authority for Kensington might administer the Building, Sky Signs, and Overhead Wires Acts, under byelaws framed by the central authority, the Weights and Measures Act), which is elsewhere only administered by county councils outside boroughs; the vestries already administer the Sale of Food and Drugs Act, 13,219–56. The local authorities might also deal with technical education, in respect of which there is a fear that districts are not evenly treated by the County Council, though a general scheme for the whole of London is desirable, 13,257–92. The local authorities should also be the authority for licensing, under byelaws framed by the central body, cowhouses, dairies, and slaughter-houses, which they have already to inspect as the sanitary authorities, 13,293–4. The naming and numbering of streets and the maintenance of small open spaces should also be in the hands of the local authorities, though the central body or the Postmaster-General might have a power of veto to prevent confusion arising from the same names being adopted in adjoining districts, 13,295–300.

The local authorities should be able to borrow without the consent of the central body, for which the consent of the Treasury or the Local Government Board, after local inquiry by an inspector, might be substituted, which would secure greater impartiality, and greater uniformity of treatment. If the County acted Council on the advice of a permanent officer, who held a judicial inquiry in each case, perhaps subject to the ultimate approval of the Local Government Board, it would meet these objections, 13,301–20. The local bodies can already borrow in the open market, instead of from the County Council if they prefer, so no change is needed in that respect, 13,321.

The local authorities might have further powers as regards the quality of the water supply, which at present rests with the Water Examiner appointed by the Local Government Board, 13,322–6. As regards electric lighting there is an overlapping of functions between the vestries and County Council under the Model Order drawn up by the Board of Trade, which should be remedied by excluding the jurisdiction of the County Council, 13,327–9. The administration of the Prevention of Cruelty to, and Protection of, Children Acts, and the Shop Hours Acts, should be vested in the local authority, 13,329–32.

LEWISHAM:

City (Bridge House) Estates in, *Brand,* 7791, 7816, 7817.

LEWISHAM UNION:

Parishes included in, area, &c., *Costelloe,* 13,985, *Dickinson,* 13,659–61.

Rating authorities in, *Dickinson,* 1228.

LIBRARIES, FREE PUBLIC. *See* PUBLIC LIBRARIES.

LIGHTING OF STREETS:

In City. Formerly carried out by Corporation, who now employ the Gaslight and Coke Company. *Kemp,* 5689–96.

Outside City. Managed by the various vestries and district boards, the light being supplied by companies, *Botton,* 595.

LINCOLN'S INN:
Excluded from ordinary parochial government and the City, under Metropolis Management Act, 1855, *Rotton*, 11. In the Holborn County and Parliamentary division, *Costelloe*, 13,978–80.
Rating authority in (the Treasurer), *Dickinson*, 1228.

LIVERPOOL, THE BOROUGH OF.

EVIDENCE ON BEHALF OF. *See* CLARE.

1. *Election of Town Councillors:*
The elections take place on political lines; very rarely are elections decided on municipal considerations, *Clare*, 10,049–55, 10,069–71, 10,079–91. The division of boroughs into wards has made no alteration in this respect, *Clare*, 10,056–62.

2. *Election of Aldermen:*
The aldermen are elected on political grounds by the majority on the council, *Clare*, 10,063–5, 10,069–71, 10,079–91. As a rule they have been Councillors, but it is useful to be able to select men from outside the Council, *Clare*, 10,066–9. Aldermen should not vote at the election of Aldermen, *Clare*, 10,072–4. They are, as a rule, the best men on the Corporation; a proportion of one-third aldermen to Councillors is better than one-sixth, *Clare*, 10,075, 10,076. After election politics do not play a great part in the business of the Council, *Clare*, 10,077.

3. *Extension of Boundaries:*
In 1835 the old borough of Liverpool was extended to correspond with the parliamentary borough, and another extension is now being effected. The right principle is to extend from the centre. Bootle should be absorbed in Liverpool. The extension and the reformation of the Corporation was made without inquiring into the wishes of the old town inhabitants, but their privileges were extended to the enlarged borough, *Clare*, 10,092–122.

4. *Working of the Corporation:*
Committees:
(i.) *Election of:*
There are 11 standing committees; mode of election, *Clare*, 10,123–33, 10,150–9. Members are not, as a rule, changed unless they wish to be, *Clare*, 10,134, 10,135. Committees select their own chairmen, who may only be chairman of one standing committee (except the parliamentary committee), *Clare*, 10,136–9. Publicity of committees' meetings, *Clare*, 10,139–49.
(ii.) *Working of Committees:*
Order of work and procedure in committees, *Clare*, 10,159, 10,160.
Monthly confirmation of the committees' proceedings by the Council, *Clare*, 10,203, 10,204, 10,210, 10,255–81.

Finance:
Procedure in framing the estimates and the necessary rate, *Clare*, 10,161–79, 10,454.
Functions of the Finance Committee, *Clare*, 10,180–6.
There is no borough rate in Liverpool, *Clare*, 10,187.
Application of the proceeds of the Town Dues Compromise, *Clare*, 10,188–94, 10,447.
Check exercised by the Council over Committees' expenditure, *Clare*, 10,169, 10,216–39.
The recently established pension scheme to officials, *Clare*, 10,240–52.

Works, Contracts, and Wages:
Questions on rates of wages may be raised in Council, *Clare*, 10,211, 10,253, 10,254.
Selection of contractors by the Corporation, *Clare*, 10,282–92. Contractors are required to pay the standard rate of wages, *Clare*, 10,293–302.
Scavenging work, &c. is done by the Corporation, *Clare*, 10,303–9.
Works executed by the Corporation by contract, *Clare*, 10,309, 10,310.
The Corporation has no factories. It has some artizans' dwellings, *Clare*, 10,311–6.

LIVERPOOL, THE BOROUGH OF—*cont.*
4. *Working of the Corporation*—cont.
Officers:
The Town Clerk is the head of the official staff, under him is a deputy and assistants, &c., *Clare*, 10,317. He or his deputy or assistant attends all committee meetings, *Clare*, 10,318, 10,319. The head of the staff should be a permanent official, whom all might consult, *Clare*, 10,319–25.

5. *Limits of area of Government by one Municipality:*
Increase of size means increase of details only and does not make the government any more difficult, *Clare*, 10,324, 10,325. If Liverpool were much larger local bodies might be created to control local affairs, under the supervision of the central body, which should be strong, *Clare*, 10,326–38, 10,461–73, 10,355–8. Supposing these local bodies, locally elected, were created with representatives on the Town Council, there would be danger of their trying to get as much as possible of the general rate spent in their locality; precautions against this, *Clare*, 10,339–54. Since 1835 it has been the desire of provincial Corporations to extend their boundaries, *Clare*, 10,359–64.

6. *The Lord Mayor:*
Is allowed 2,700*l.* during his year of office; he is more employed in charitable and ornamental work than in municipal, *Clare*, 10,365–71, 10,396–405.

7 *The Court of Passage:*
The presiding judge is nominally the Lord Mayor, but actually the Recorder; the court is similar to a county court and has limited Admiralty jurisdiction. Popularity of the court, *Clare*, 10,372–93.

8. *Quarter Sessions:*
Liverpool was created a Quarter Sessions borough in 1835, *Clare*, 10,394, 10,395.

9. *Police:*
Strength and unity of the force, *Clare*, 10,406–11. It is controlled by the Chief Constable, subject to the Watch Committee; there is a prosecuting solicitor under the Town Clerk, *Clare*, 10,412–27.

10. *Estates of the Corporation:*
Position of and annual income from the estates. They are let on leases renewable on payment of fines, *Clare*, 10,428–37. Income from property more than pays interest on Corporation debt, *Clare*, 10,437, 10,438.
The Corporation owns the tramways but does not work them. Convenience of this system, *Clare*, 10,439–48.
The Corporation owns water but not gas works, *Clare*, 10,449–53.
Area of the Corporation water supply, *Clare*, 10,454–60.

LIVERYMEN OF CITY COMPANIES:
The use of the word "livery" is derived from the fact that the various companies wore uniforms or liveries attaching to their craft, *Monckton*, 2566.
Some members of companies are entitled to put on the livery of the companies; all the members of a company are not on the livery; some liverymen are freemen, others are not, *Rotton*, 18–20; *Sewell*, 7111–4.
The liverymen are Parliamentary electors for the City if they reside within 30 miles thereof, *Monckton*, 2569–74.
Election of Lord Mayor:
Lord Mayor elected out of two aldermen nominated to Court of Aldermen by freemen being liverymen, *Rotton*, 15–27.

See also LORD MAYOR, ELECTION OF, *and* FREEMEN OF THE CITY OF LONDON.

LOANS. *See under* BORROWING POWERS.

LOCAL AUTHORITIES. *See* VESTRIES, &c., CITY OF LONDON, COUNTY COUNCIL, AUTHORITIES, *and* AMALGAMATION.

LOCAL GOVERNMENT ACT, 1888. (51 & 52 Vict. c. 41.)
The clauses relating to London were passed under the impression that a District Council Bill would follow safeguarding the City interests; this would not have happened had the character of the London County Council been foreseen, *Fulton*, 7555–61.

See also under ACTS.

LOCAL GOVERNMENT ACT, 1894:
Effect of, on Vestry and other elections. Constitution of vestries not altered, but electorate widened by combining county and parliamentary registers, and removing disqualification formerly attaching to married women as regards the former, *Dewey*, 11,508–12, 11,529–33; *Holland*, 11,920, 11,921; *Leete*, 10,553–8; *H. J. Smith*, 11,696, 11,697. Under it the rector or vicar will no longer be chairman of the vestry, *Dewey*, 11,463–73; *J. E. Smith*, 12,146–51; *Tagg*, 10,694–8.

LOCAL GOVERNMENT BOARD.
(i.) EVIDENCE ON BEHALF OF. *See* ROTTON.
(ii.) THE BOARD IS ULTIMATE AUTHORITY—
(a.) *For whole Metropolis*, as regards—
Alkali Works, regulation of.
Baths and Wash-houses, approval of loans to Commissioners of, *Rotton*, 363.
Dairies, regulation and inspection of, *Dickinson*, 1432.
Food and Drugs, sale of.
Infectious Diseases, notification of.
Housing of the Working Classes:
Unhealthy dwellings (Secretary of State having also powers), *Rotton*, 271.
Sanitary Administration and Control:
(i.) The Board must approve byelaws and regulations issued by the County Council as regards nuisances, offensive trades, &c., for guidance of all sanitary authorities, and may empower it to act in their default, *Rotton*, 222–4, 239–44.
(ii.) Medical officers of health, *Dickinson*, 1376–97.
Vaccination Acts, administration of, *Dickinson*, 13,531, 13,532.
Water Supply (in place of *Board of Trade*):
1. Constancy of, *Rotton*, 316–25, 328–30.
2. Purity of (appointment of examiner to test), *Rotton*, 326.
3. Accounts, audit of (appointment of auditor), *Rotton*, 326.
(b.) *In City only:*
Smoke Prevention.

LOCOMOTIVE TRAFFIC:
Byelaws relative to
(i.) *On main roads*, made and enforced by County Council, *Rotton*, 299, 310–5.
(ii.) *On highways other than main roads:*
In City, made and enforced by Common Council, *Rotton*, 299.
Outside City, made and enforced by vestries and district boards, *Rotton*, 302, 303.

LODGING HOUSES, COMMON. *See* COMMON LODGING HOUSES, REGULATION OF.

LODGING HOUSES FOR THE WORKING CLASSES. *See* HOUSING OF THE WORKING CLASSES (iii.).

LONDON:
i. AREAS comprised in:
1. Administrative County of London—
Includes (County of) City of London, and County of London, *Harrison*, 833, 839–44; *Kemp*, 5941.
2. City of London—
Coterminous with County of City of London, *Harrison*, 835, 836; *Dickinson*, 1173–81; *Kemp*, 5936–40.
3. County of City of London—
Coterminous with City of London, *Harrison*, 836–9; *Dickinson*, 1173–81; *Kemp*, 5936–40.
4. County of London—
The part of the administrative County of London not included in the (County of the) City of London, *Harrison*, 834; *Dickinson*, 1173–81; *Kemp*, 5936–40, 6101–23.
5. Metropolitan Police District—
Comprises every place or parish which lies wholly within 15 miles of Charing Cross, and any place or parish of which a part is within 12 miles of Charing Cross (except City), *Rotton*, 129; *Dickinson*, 1142–5, 1173–81.
6. Police Court District, *Rotton*, 171; *Dickinson*, 1173–81.
7. Central Criminal Court District, *Dickinson*, 1181.
See also under AUTHORITIES (a.).
ii. GOVERNMENT OF. *See* AUTHORITIES (b.).

LONDON ALMSHOUSES, THE:
Establishment and management of, *Kemp*, 5505–23. *See* CORPORATION, 7.

LONDON BRIDGE WATERWORKS:
Established by Peter Morrys, superseded by New River Waterworks, *Kemp*, 5676–83.

LONDON CHAMBER OF ARBITRATION. *See* CITY OF LONDON, 5. (COURTS OF JUSTICE.)

LONDON COUNTY COUNCIL. *See* COUNTY COUNCIL OF LONDON.

LONDON GOVERNMENT BILL, 1884.
Provisions of generally, *Harrison*, 8722–4.
Provisions as to an allowance to the Lord Mayor, *Harrison*, 8790, 8791.
Provisions as to power of new Corporation to alter its constitution, *Harrison*, 8898.
Provisions as to expenditure of new Corporation on entertaining, charity, &c., *Harrison*, 9036–9.
Provisions as to appointment of (4) deputy recorders, *Harrison*, 9092.
Petition presented to Queen by Corporation against, *Fulton*, 7592, 7593.

LONGSTAFF, DR. GEORGE BLUNDELL, a member of the London County Council.

ANALYSIS OF EVIDENCE.

Witness is chairman of the Building Acts Committee of the London County Council, 13,689–95.

Division of powers between the central and local bodies:
The duties of the local bodies should be made as wide and important as possible, to attract the best men to them, and relieve the pressure on the central body. The latter should retain a general control, especially by framing byelaws and regulations under which the local bodies should work, 13,696–9.

1. *The formation and width of streets:*
This should be controlled by the central body, as streets are often not confined to one local area, and local influences, as well as economy of maintenance, and a desire to have the ground covered as closely as possible with buildings so as to increase the rateable value, might often lead a local authority to consent to a narrower street than the public interest would require, 13,700–1.

2. *Building within the prescribed distance:*
The same argument also applies here, *e.g.*, in the case of building a new house or rebuilding an old one on an old roadway only 30 feet wide, instead of requiring it to be set back 5 feet it might be allowed to come up to the 30 feet line. Such cases should be dealt with on general principles by an unbiassed body, 13,701–8.

3. *Line of building frontage:*
The power given by the Act in such cases is to take proceedings when buildings are erected over the line. This was left entirely to the local authorities under the Metropolis Management Act, 1862, but they allowed so many projections beyond the line that the amending Act of 1878 gave the Metropolitan Board of Works concurrent powers to take proceedings in cases where the law was broken. Where the vestries have been left to take proceedings it has happened that—after delays to waste time—they withdrew as soon as it was too late for the County Council to institute them, consequently the Council now always institutes proceedings itself at once, except in the case of one or two well tried local authorities, 13,709–10. As a matter of practice people now apply to the Council for permission to build over the line, to avoid subsequent proceedings, 13,711–3. In a few cases the local authority has been more strict than the central in enforcing the law, but the latter is now very stiff in the matter, 13,714–22. Where the Council has given its consent the local authority can do nothing, but the views of the latter are always very carefully considered, 13,723–7. The Council is more influenced by æsthetic considerations than the vestries, and the leading architects prefer to deal with it, 13,728–31. It is very anxious to preserve open spaces of every kind, 13,732.

LONGSTAFF, Dr. GEORGE BLUNDELL, Evidence of—*cont.*

4. *Naming and numbering of streets:*
   (*a.*) *Naming* must rest with the central authority to avoid undue duplication of names. The local authorities are always consulted as regards re-naming, but not as regards new streets, except in an old neighbourhood, the names of which are usually suggested by the owner or builder, 13,733–7.
   (*b.*) *Numbering.*—This is of importance for legal and historical purposes, so a register is kept of all changes, and for convenience this should be in one central office. The local authorities are always consulted in cases of re-numbering, 13,737–44.

5. *Open spaces about buildings:*
   This is at present a simple matter, but will become more complex if the Council's Bill now before Parliament becomes law. It might well be left to the local authority to carry out these provisions through their surveyor and medical officer of health under regulations to be issued by the central authority. There must be a discretionary power somewhere, though there are difficulties in exercising one, 11,745–54, 14,143–5.

6. *Height of buildings:*
   This is closely akin to the preceding, but any discretionary power should be vested in the central body, as the local body has such a strong inducement to allow anything tending to increase the rateable value, especially when urged by persons with strong local interest, 11,755–60.

7. *Construction of buildings:*
   This is mainly in the hands of the district surveyors, statutory officials appointed by the County Council and subject to dismissal and a vague sort of control by them, but with statutory authority and paid by fees. They see that the provisions of the Building Acts are complied with, 11,761–3. There are 70 district surveyors, and their fees amount to 40,000*l.* a year. They are highly trained architects who have passed the examination of the Architects' Institute, 13,763. The local surveyors employed by the local authorities, on the other hand, rarely possess any technical knowledge of building or engineering beyond road surveying and sewer construction, and the administration of the Building Acts as regards construction could not be entrusted to them as they are at present, 11,763–5, though they may be quite competent to deal with the drainage of a building, as they now do under the Public Health Act, 1891. There is no doubt some inconvenience in a builder having to send his plans to two authorities, the vestries for drainage and the district surveyor for construction, but so long as the vestry surveyors are not fully qualified architects they could not be entrusted with the whole work, and in any case some matters, such as special buildings and dangerous structures, had better be in the hands of the central authority, 14,128–37. The matter is coming more into the control of the Council, as various things can only be done by its consent. These things tend to become grouped, of which some are always allowed, some always refused, and a debateable class lies in between, 11,765. The power of the district surveyors over public buildings is much greater than over private houses, mainly with a view to obviate danger from fire, as regards which the chief officer of the fire brigade is often consulted, 13,765–6. The district surveyors must be independent of the local authorities, like the medical officers of health, and there is an advantage in all being under a central office, to provide for vacancies in holiday time, &c.; with the superintending architect, the architect of the Council with statutory powers—a man of high attainments and experience—to consult on difficult points, 13,766–71. The superintending architect used to have absolute power of deciding what was the line of frontage, but now there is an appeal to the Council, which, however, cannot control his decisions at all. He is an independent officer and debarred from private practice, 13,772–80. The question of making the district surveyors more distinctly

LONGSTAFF, Dr. GEORGE BLUNDELL, Evidence of—*cont.*

7. *Construction of buildings*—cont.
   officers of the council has been raised, but it has been decided, after much inquiry and discussion, to make no change in the present system, 13,781. There have been complaints of collusion between the district surveyors and builders, but they have not been substantiated on investigation, 13,782, 13,793–5, 13,992–4. Similar complaints have been made against the local surveyors employed by the vestries, and against officers in the employment of the great spending departments of the Government as regards contracts, 13,992–14,006. It may be that the more independent position of the district surveyor, his right to private practice, and his mode of payment by fees, lays him more open to corruption, or at all events suspicion of it, but no instances have come to light. The only real safeguard against corruption is *esprit de corps*, a high professional tone, supported by adequate remuneration, 14,006–23. The Council can dismiss a district surveyor without assigning a reason, 13,783–5. The amount and mode of their remuneration has been carefully considered by the committee, which decided to leave things as they are. The fees are all audited, and there is no reason to suppose that improper ones have been charged, except in one instance in the city, 13,786–92. The number of district surveyors might be reduced and is in process of reduction, with the view of making the appointments more valuable and attractive. The question of debarring them from private practice has also been raised, but strongly opposed by architects and builders, as tending to keep the district surveyors behind the times as regards new methods of construction. The Council has, however, resolved that future appointees should be debarred from private practice, 13,793–802.

8. *Special buildings:*
   Where the ordinary rules of the Act do not apply, the builder is told by the district surveyor, to whom he has submitted his plans, to make application to the central authority for a licence for special construction, *e.g.*, for an observatory, or the Graydon wheel at Earl's Court. In the latter case great technical knowledge of the principles of construction is necessary, and the vestry surveyors would, as a rule, be quite incompetent to deal with such a matter, 14,024–32, 14,133.

9. *Advertising hoardings:*
   The Council has used its power of control over irregular structures to restrict the height of advertising hoardings, which are often dangerous as well as unsightly. In some cases land pays better if let for these hoardings than if built upon, though its rateable value could not be more. The local authorities, which now rates these hoardings, might be left to deal with them altogether under byelaws passed by the central authority, 14,033–42, 14,143.

10. *Sky signs:*
    No new sky signs are allowed to be erected, and those existing were only licensed for a limited period. Under the London Sky Signs Act, 1891, they will all come to an end in five years. Owners have to take a sign down if a single letter drops. It is better for the enforcement of the Act to be in the hands of the central authority than of the local authorities, as the owners of sky signs are generally men of considerable local influence, 14,043–59.

11. *Temporary buildings:*
    The construction of temporary buildings must be under the same control as that of permanent buildings, but their licensing might, subject to the supervision of the district surveyor, well be left to the local authorities, 14,060–4, 14,143.

12. *Neglected structures:*
    Deserted houses, mostly of a poor class, often become a nuisance and depreciate surrounding property. The Council has two or three cases every week, in which it has to compel the owners either to pull down or repair. This might be left to the local authorities, 14,065–8, 14,142–3.

LONGSTAFF, Dr. GEORGE BLUNDELL, Evidence of—*cont.*

13. *Dangerous structures :*
These cause much administrative difficulty, there being much doubt as to what constitutes danger, and only an expert can decide. Under the Act, the Council has to send a "competent surveyor" to inspect any building reported to them as dangerous. As a matter of fact, they always send the district surveyor; the district surveyor is also employed by the Commissioners of Sewers, who carry out the Act in the City. It was in connexion with such employment that the case of overcharging already referred to occurred. A very small piece of a building may be dangerous, and the surveyor's fees may come to more than the cost of repairing it, which leads to complaints, 14,069–78. The work is troublesome and technical, but it might, perhaps, be transferred to the vestries, though there would be advantages in its remaining with the central body, which has a special skilled staff to deal with dangerous structures, especially after fires, which could only be kept together by constant employment, 14,079–82, 14,145. Some vestries are very eager to get buildings condemned as neglected or dangerous, with the view of effecting improvements cheaply. As a rule, they, the police, or the district surveyors report dangerous structures to the Council; occasionally complaints come from the public, 14,083–4. The Council cannot have a building demolished without an order from a magistrate. Magistrates vary greatly in the readiness with which they grant such orders, them, 14,085–93.

14. *Administration of the Factory Acts as regards the protection of factories from fire :*
This involves the inspection of over 2,000 existing factories and the employment of three surveyors, who have met with great difficulty in getting their requirements complied with. This applies especially to structures not originally built for factories, and to large buildings let to several tenants, each carrying on a separate trade; in such cases direct access to the street is often cut off, while the lightest work, in which women are employed, is usually carried on in the top of the building, so that they are in most danger in case of fire, 14,094–5. Besides the inspection of existing factories, the Council has to approve of the plans of new factories, in which case it is more strict than in dealing with old buildings, 14,096. The Act has to be worked with great discretion. Only one case has been carried to arbitration against the Council, and in that it was held that their requirements were excessive. A great deal must go by precedent, and the central authority will accumulate precedents more quickly than a local authority; so there is an advantage in having this work done by the former, apart from local influences, 14,095–105.

15. *Legal proceedings :*
Precedent goes for much in legal matters, and it is generally left to the central body to take proceedings in a test case, and to move for an amendment of the law in case of failure, *e.g.*, in the case of sky signs. The Council has a staff of solicitors, with a specialisation of the work between them, so that they get very familiar with their own cases. This could not well be if these matters were left to the local authorities, even if the areas under them were considerable, 14,106–13. There are now two appellate tribunals, constituted in 1890, to decide appeals on test cases from the decision of the Council, one as to lines of frontage, consisting of three members appointed by the Royal Institute of British Architects, the Surveyors' Institution, and the County Council respectively; the other, as to drainage of buildings on low-lying lands, on which the Institute of Civil Engineers appoints a member instead of the Surveyors' Institute. A Bill is now before Parliament to extend their powers so as to cover questions of the formation of new streets. The Council has very little control over local sewers, except to see that they fit in with the general system with proper falls and mains. This work is practically done by the Council's engineer, 14,118–23t, 14,137–41.

LONGSTAFF, Dr. GEORGE BLUNDELL, Evidence of—*cont.*

16. *Byelaws :*
Byelaws must certainly be framed by the central authority, and there are also office regulations now framed by the Council, more elastic than byelaws, which are found very useful for explanation and securing uniformity of administration. These had better remain as at present, 14,124–5.

17. *General requirements :*
The general requirements for the proper enforcement of the Buildings Acts are that the surveyors should be well qualified and independent, and the administering authority strong and independent of local influences, owners, and builders. There should be uniformity in essentials, but reasonable flexibility to suit varying localities and circumstances. Administration should be as economical as is compatible with securing the services of legal, architectural, and engineering experts, which a central authority can best effect. There is also an advantage in having a skilled and experienced superintending architect to settle disputes and advise on difficult cases. The local authority is inclined to pay too little attention to æsthetic considerations. Its views are too narrow, and influenced by a desire to raise the rateable value of the district, which tends to allow encroachments on the line of frontage, narrow streets—not more than 20 feet wide—and elevated buildings, and there is more danger of corruption and personal influence in small bodies, and a risk of loss of uniformity and certainly of administration, 14,142. The name of the district surveyor might be altered with advantage; it is misleading, as suggesting a connexion with the local rather than the central authority, 14,146–52. If the administration of the Building Acts generally were transferred to the local authorities, it is doubtful whether it would be as well done as it is now, but it would be well to increase the importance and functions of the local bodies as far as possible, and at the same time relieve the pressure of work on the central body, which is already very severe, and tends to increase, with the result that it is difficult to get the right sort of men to serve, 14,152–60. The Building Acts and kindred matters could better be administered by a small commission of two or three permanent officials appointed by the Government, than by a committee of the Council, though the knowledge that it has the Council at its back places the latter in a stronger position morally, socially, and politically, 14,161–6. The work of the committee, especially of the chairman, is arduous, technical, and inglorious, though the Council is grateful to the chairman for work well done. This post is not an attractive one, 14,166–71.

LORD CHANCELLOR. *See* CHANCELLOR, LORD.

LORD LIEUTENANT :

1. The Lieutenancy of the City of London is in Commission, with the Lord Mayor at the head. The Commissioners levy the trophy tax every three years for the support of the City of London Militia, *Kemp*, 6123.
2. The Lord Lieutenant of the County of London is the Duke of Westminster. His duties are similar to those of other lord lieutenants. He is custos rotulorum, appoints deputy lieutenants, nominates to first commissions in the militia, &c., *Kemp*, 6094–7.
3. Proposals of London County Council as to, *Harrison*, 8782–8.

LORD MAYOR :

1. Election of.
2. Duties and Powers.
3. Proposals of London County Council as to.

1. Mode of Election of :

(*a.*) *Selection by Liverymen in Common Hall :*
The mode of election is regulated by the Act 11 Geo. 1. c. 18. as follows:—
The Livery being assembled in Common Hall, a list is read by the Common Serjeant of the Aldermen who have not passed the chair and who have served the office of sheriff. The

LORD MAYOR—*cont.*

1. (*a.*) *Selection of, by Liverymen*—cont.
Liverymen generally select the two senior, but they may pass over either or both, and choose one of the other Aldermen who have passed the chair, *Monckton*, 2374–7, 2405–15; *Kemp*, 4585–9. The Liverymen have never claimed the power of electing an Alderman who had not served the office of sheriff, *Monckton*, 2378–80; *Kemp*, 4585–9. It is assumed as a legal necessity that a man to be elected Lord Mayor must have been a Sheriff and must be an Alderman, *Monckton*, 2381–6.
Steps taken to exclude all but Liverymen from voting at the Lord Mayor's election, *Monckton*, 2390–30. A register of Liverymen is kept in case of a poll being demanded, but the Lord Mayor is generally elected by a show of hands, *Monckton*, 2393–9. There is no sectional opposition between the electors of the ward and the electors in Guildhall, *Monckton*, 2400–4. The Liverymen have not in recent memory passed over an Aldermen, but some have resigned before the election to avoid rejection, *Evans*, 2109–14.
(*b.*) *Election by the Court of Aldermen:*
The Court of Aldermen elect one of the Aldermen selected by the Liverymen, generally the senior, but they could reject either or both, *Monckton*, 2405–15; *Kemp*, 4585–9. The Aldermen may and occasionally do reject candidates selected by the Liverymen, on the ground of financial difficulties or other unfitness, *Evans*, 2104–8, 2195, 2196, 2281.
(*c.*) *Confirmation by the Sovereign:*
The Lord Mayor elect is then presented to the Lord Chancellor for the Queen's approbation; no instance in late years of the Sovereign's approbation being withheld, *Monckton*, 2416–23; *Harrison*, 8740, 8741.
Fourfold condition of election of Lord Mayor:
To become a Lord Mayor a man must have been—
(i.) Elected Alderman by the ratepayers of his ward (subject to the approval of the Court of Aldermen).
(ii.) Elected Sheriff by the Liverymen in Common Hall.
(iii.) Elected a candidate for the mayoralty by Liverymen in Common Hall.
(iv.) Finally selected by Court of Aldermen, subject to the Sovereign's approval, *Monckton*, 2424–30.
By the Act 30 Vict. c. 1, there was a change made in the election of Aldermen, but none in the election of Lord Mayor, *Monckton*, 2495–8.
The mode of election of the Lord Mayor is very commendable, since it involves his having gained experience as an Alderman and Sheriff, *Fulton*, 7339–49.

2. Duties, &c. of:
(*a.*) *Magisterial.*
(*b.*) *Ceremonial and Charitable.*
(*c.*) *Municipal.*
(*d.*) *Expenses.*
(*a.*) *Magisterial:*
The most important duties of the Lord Mayor are those of chief magistrate. The Aldermen as magistrates sit by rota at the Guildhall, but the Lord Mayor sits every day at the Mansion House, *Evans*, 2053–7; *Monckton*, 2675–8. *See also Fulton*, 7606–22. Cases go to the Mansion House or to the Guildhall, according to the locality in which they originate, *Evans*, 2058; *Monckton*, 2684–6; *Douglas*, 7639; *Kemp*, 6111–4; *Savill*, 7692, 7693. He sits as chief magistrate from one to three hours daily; on the recommendation of the chief clerk very heavy cases are often handed over to an Alderman to be dealt with, *Evans*, 2235, 2249–53.
He is Chief Commissioner at the Central Criminal Court, and as such opens the court, *Evans*, 2115–8.
He is a member (as a magistrate) of the Licensing Committee of the Aldermen, *Evans*, 2132–55.

LORD MAYOR—*cont.*

2. (*a.*) *Magisterial duties of*—cont.
Comparison of magisterial powers of the Lord Mayor and provincial mayors, *Evans*. 2214–20.
If the Lord Mayor were simply Chairman of Petty Sessions for the City, his ardour as chief magistrate would probably cool, *Evans*, 2098–103.
(*b.*) *Ceremonial and Charitable work:*
There is a great deal of this work, the Lord Mayor presides nearly every day at some charitable meeting at the Mansion House (his official residence) or elsewhere in London, *Evans*, 2061–3, 2185–99; *Savill*, 7692, 7693. The Lord Mayor's secretary is able to say from his experience what invitations should be attended to. *Evans*, 2200–4.
Important Mansion House Funds, how managed; Lord Mayor appoints a committee, over which he presides, to deal with them, *Evans*, 2205–13.
(*c.*) *Municipal:*
(i.) The Lord Mayor presides over the Courts of Aldermen and Common Council, and has positions on various boards in virtue of his office, *Evans*, 2119–20.
He summons and attends every meeting of Courts of Aldermen and Common Council, and is in touch with the work of committees through their reports to the Common Council, *Evans*, 2262–9, but he is not, like provincial Mayors, *ex officio* chairman or even member of all or any committees, though he is by statute titular (but not working) chairman of the Commissioners of Sewers, *Monckton*, 2440–6; *Kemp*, 4611–20, 5898, 5899.
He has a general control over the order of business of the Court; and becomes acquainted with matters to be brought forward through the Town Clerk, *Evans*, 2270–6; *Monckton*, 2451–4. He could not on his own responsibility put off any business from one court to another, *Monckton*, 2455–7; but would strike out of the paper any irrelevant or improper matter, *Monckton*, 2458. If he attends any committee of which he is not a member, to make a communication, he could not vote, *Monckton*, 2460–50. He must formally appoint an Alderman who has passed the chair as *locum tenens* to preside, in his absence, at formal meetings of the Courts of Aldermen and Common Council; this is a custom without authority; at ordinary meetings any Alderman can take his place without a formal document of appointment, *Monckton*, 2437–8. There are standing orders for the conduct of business, and the Lord Mayor is appealed to as chairman, *Monckton*, 2459–67. Chairmen of committees, including the Commission of Sewers, meet and confer with the Lord Mayor on special matters, *Evans*, 2277–9. Witness considers the judicial functions of a Lord Mayor to be more important than the municipal, *Evans*, 2280.
(ii.) He presides at elections of Aldermen, *Monckton*, 2519–21.
(iii.) The government of the City Police is in the hands of the Commissioner, subject generally to the Lord Mayor, Court of Aldermen, and Secretary of State, *Monckton*, 2587–2605.
(v.) He can direct fire inquests in the City, *Monckton*, 2747–65.
(*d.*) *Other Duties:*
The Lord Mayor is called to the Privy Council on the demise of the Crown; is termed "Right Honourable" by courtesy, *Monckton*, 2431–6; *Harrison*, 8779.
He is informed by the Home Secretary of the occurrence of events in the Royal Family, *Monckton*, 2439; *Harrison*, 8779.

LORD MAYOR—*cont.*

2. (*d.*) *Miscellaneous duties of*—cont.

He is, with the Archbishop of Canterbury and the Bishop of London, trustee of the fabric and auditor of the accounts of St. Paul's Cathedral, *Evans*, 2284–8; *Harrison*, 8779.

He is perpetual escheator in the City and Southwark (escheats are rare), *Kemp*, 4596–8; *Harrison*, 8779. He has a seal of his own, *Kemp*, 4599–4610.

He has a right to Maces, and acts as Chief Butler at the coronation, *Harrison*, 8779.

He is Coroner and Clerk of the Markets of the City of London, Admiral of the Port of London, Chairman of the Thames Conservancy Board, &c., *Harrison*, 8779.

No one man could cope with the work of the head of a monster municipality, *Fulton*, 7606–22 (*i.e.*, judicial, municipal, and ornamental).

(*e.*) *Expenses of Lord Mayor:*

The Lord Mayor is allowed 10,000*l.* for his year of office (exceeded by witness by 12,000*l.*), and has necessarily gone through the office of Sheriff at a cost of about 4,000*l.*, *Evans*, 2156–9.

The excess of the Lord Mayor's expenses is mainly spent on charity (heading Mansion House subscriptions, &c.), *Evans*, 2160–3.

The Lord Mayor pays half the expenses of the procession and banquet, each Sheriff a fourth, *Evans*, 2177–80.

Cf. Functions, &c. of Mayor of Nottingham, *see* NOTTINGHAM, 3 (iv.)

3. PROPOSALS OF LONDON COUNTY COUNCIL AS TO, *Harrison*, 8740–800.

LORD MAYOR'S COURT—

"The Court of the Mayor and Aldermen in the outer Chamber."

Functions entirely judicial, *see under* CITY OF LONDON, 5 (*b.*).

LUNATIC ASYLUMS AND NON-SETTLED LUNATICS—

Authorities for—

1. *In City*—

Common Council is in position of county authority, provides asylums, and pays for non-settled lunatics sent to asylum from the City, receiving through County Council from Exchequer 4*s* a head a week, *Harrison*, 868–73, 916–29; *Rotton*, 445, 446.

The duty was transferred from the justices to the Common Council under the Local Government Act, 1888. *Youle*, 7132, 7139–40.

The asylum is at Stone, near Dartford; cost of erection; opposition to proposed rate for, *Youle*, 7133–4, 7143–5, 7148–9.

Cost of asylum; the cost of buildings and their maintenance falls on the City's cash, the cost of maintaining City of London Union patients on the Union and of wandering patients on the Corporation, *White*, 7190–2; *Youle*, 7135, 7136–9.

Accommodation, number of patients supported by other parishes and paying patients, average number from the City of London Infirmary, *White*, 7193–6.

Excellent recovery rate and low death-rate, *White*, 7196–207.

Visiting Committee of Corporation, *White*, 7208–9.

Report of the Lunacy Commissioners on the asylum, *White*, 7209–10.

Provisions for repayment of loan on, *Payne*, 6931.

2. *Outside City*—

County Council is local authority with asylums at Hanwell, Colney Hatch, and Claybury, *Rotton*, 449–54; *Harrison*, 868, 914–41; also at Banstead and Cane Hill, *Dickinson*, 1162; another one is contemplated, *Dickinson*, 1163.

MAGISTRATES:

(i.) *Appointment of*—

(*a.*) In City. *See* ALDERMEN, A.

(*b.*) In municipal boroughs generally, *Kemp*, 6142–55.

(*c.*) In counties generally, *Kemp*, 6142–55.

(*d.*) Stipendiaries in London and boroughs, *Kemp*, 5988–6027.

(ii.) *Comparison between Aldermen as Magistrates and Stipendiaries.*

Aldermen as Magistrates:

The commercial knowledge (acquired in their own business) is of great value to the Lord Mayor and aldermen as magistrates in hearing cases of falsification of accounts, fraudulent bankruptcies, &c., *Evans*, 2064–7; *Fulton*, 7501; *Hall*, 7443.

Witnesses consider the system of aldermen acting as magistrates in the City preferable to that of stipendiaries, as in Manchester, Liverpool, &c., *Evans*, 2068–73, 2083; *Monckton*, 2687; *Douglas*, 7657–67.

The aldermen make excellent magistrates, *Fulton*, 7505.

There is no necessity for extending the City system of magistrates to the rest of London; it is most suitable for the City, the commercial centre of the world, where commercial cases are in the majority, *Evans*, 2075; *Fulton*, 7506–20; *Douglas*, 7657–67. Dangers of such an extension, *Fulton*, 7521–33; *Hall*, 7468–71. But an alderman could serve efficiently as a magistrate in a court outside the City, because his experience in the City covers almost every kind of case, *Evans*, 2076, 2077.

The lay magistrates could be maintained in the City even were the Corporation radically altered, *Evans*, 2084, 2085.

Lay magistrates, appointed otherwise than they are now, would not make as good magistrates as aldermen elected under the idea that their chief duties (for life) will be magisterial, *Evans*, 2094, 2095. If the chief magistrate were simply chairman of the petty sessions for the City it is not likely that he would undertake his magisterial duties so cheerfully as he does as Lord Mayor, *Evans*, 2096–103. Were an alderman to perform his magisterial duties inadequately, his faults would be discovered in the nine or ten years before he became a candidate for the office of Lord Mayor and he would be passed over, *Evans*, 2104. Aldermen have been passed over, when their turn to be sheriff or Lord Mayor came, because of their financial difficulties and unfitness, *Evans*, 2195, 2196, 2281.

Desirability of extending system of lay magistrates over England, *Evans*, 2223–5.

If some anticipation of reward could be held out no doubt it would be a good thing to extend the system of lay magistracy over all London, *Monckton*, 2693. The number of commercial cases in the City is much greater than the number of offences against the person, there being hardly any night population, *Monckton*, 2694, 2695. Comparison between the justices of London and Liverpool and other towns, *Monckton*, 2696–702.

The system of aldermen sitting as justices would still answer well even if the City was enlarged; it is not a fact that the aldermen can be spared to do judicial work because their municipal work is small, *Monckton*, 2708–10.

If there were stipendiaries in the City, new work would have to be found for the aldermen, but the aldermen and citizens would be very reluctant to give up their judicial functions; though it may be an honourable position to be a chairman of a committee, it is much more so to be a magistrate, *Monckton*, 2721–30.

Appeals from the aldermen's decisions are rare, and they are rarely successful, *Savill*, 7718–21; *Douglas*, 7682–6.

See also POLICE COURTS (1.) and (3.) *and* ALDERMEN (c.)

MAIN ROADS:

Main roads defined as roads disturnpiked since 31st December 1890, and such roads (as Thames Embankment) as may have been constructed by County Council or Metropolitan Board of Works, *Rotton*, 305, 306, 313.

MAIN ROADS—*cont.*

Under the Act of 1888 these roads, both in and outside the City, were put in charge of the County Council, which may maintain them itself or through the local authorities, (Common Council, or vestry or district board), in either case meeting the expense out of county rate, *Rotton*, 310–5.

The County Council is in all cases authority as regards tramways, *Rotton*, 307, 308; and locomotive traffic, *Rotton*, 299–301.

County Council has power to declare roads to be main roads and contribute to their expense, but has not exercised this power, *Holland*, 11,947–53; *Weaver*, 11,189–224; *Dewey*, 11,661, 11,662; *Dickinson*, 13,416; *Rotton*, 312–5, 476; *H. J. Smith*, 11,734–5; *J. E. Smith*, 12,226–32; *Tagg*, 10,756.

MAIN SEWERS:

Both inside and outside City provided under Acts of 1855, 1858, and 1862, by County Council, as successors to Metropolitan Board of Works, *Rotton*, 245–7; *Harrison*, 864, 946–50; *Dickinson*, 1215–26.

Expenses met out of county rate, to which City contributes, *Rotton*, 249, 250.

Council has power to declare sewers to be main sewers, in which case it assumes responsibility for them, *Rotton*, 251–5

MANSION HOUSE:

(i.) Justice room.

Evidence relating to. *See* DOUGLAS *and* SAVILL.

See also ALDERMEN, JUDICIAL DUTIES OF. LORD MAYOR, 2 (*a.*), and POLICE COURTS (1.) and (3.)

(ii.) Is the official residence of the Lord Mayor, convenience of this, *Evans*, 2061–3, 2185–99; *Savill*, 7692, 7693.

MANSION HOUSE FUNDS, MANAGEMENT. *See* LORD MAYOR, 2. (*b.*)

MARKET OVERT, CUSTOM OF:

Every shop in the City is market overt for goods commonly sold therein, *Kemp*, 4544–60; *Fulton*, 7585–91; *Savill*, 7707. A shopkeeper gets a title to goods he may purchase from a thief inside the City but not outside, *Kemp*, 5914–34; *Fulton*, 7585–91.

The custom has never been disputed, *Hall*, 7374, 7375.

MARKETS:

1. *In City:*

All provided by Corporation, *Rotton*, 435; *Knott*, 8053–8.

A Charter of 1 Edward 3. (1327), granted that no market should be erected within 7 leucas of the City, thus giving City a monopoly in that area, *Kemp*, 4911–25.

The Corporation may, and has, moved the sites of markets in the City, *Kemp*, 4954–7.

Instance of temporary forfeiture of City's Charters, *Kemp*, 4957–70.

In spite of Corporation's opposition other markets have come into existence within the area, *Kemp*, 4987–5006.

(*a.*) *List of existing Markets*, viz.:

(1.) The London Central Markets, viz.:

(*a.*) The London Central Meat, Poultry, and Provision Market.

(*b.*) The London Central General Market.

(2.) Smithfield Hay Market.

(3.) The Metropolitan Cattle Market (Islington).

(4.) Leadenhall Market.

(5.) Billingsgate Market.

(6.) The London Coal Market (held in the Coal Exchange).

(7.) Deptford Cattle Market. *Kemp*, 5007–5162; *Knott*, 8050–106.

(*b.*) *Finance of City Markets*, *Gomme*, 3786–810; *Knott*, 8053–106.

Receipts and expenditure of markets, not being trust properties, under the management of the Corporation, application of balances, outstanding debt, *Gomme*, 3787–810.

Loans charged primarily on market rents and dues and only ultimately upon the corporate estates, total debt on markets, assumed debt of, 1907, *Gomme*, 3852–96.

MARKETS—*cont.*

(*c.*) *Details as regards particular markets*:—

(1.) Carriage of meat to Central Market, *Kemp*, 5017–23, 38–48.

The markets are constantly being extended: an extension of the Central Markets has just been finished, *Murray*, 7952–3.

Finance of, *Gomme*, 3890–6.

(1, 3, 5.) Increase in the trade of the London Central Markets, *Knott*, 8085–8.

People employed about them, and the good accommodation, *Knott*, 8089–91.

Retail markets, no need of further accommodation, *Knott*, 8092–9.

The markets are well managed, *Knott*, 8102–6.

Inspectors for various markets, by whom appointed, *Kemp*, 5025–76.

Abolition of Newgate and Farringdon markets, *Kemp*, 5036*a*, 5037; *Gomme*, 3891.

Distribution of a fund of 9,000*l.* after the abolition of the former, *Knott*, 8085.

(2.) More hay sold at railway stations than at Smithfield, *Kemp*, 5048–55.

(3.) Annual loss on the Metropolitan Cattle Market, *Knott*, 8106.

Conversion of two buildings in the market into artizans' dwellings, *Knott*, 8106.

Revenue and expenditure of, *Gomme*, 4048–56.

Loans for, *Gomme*, 3852–89, 4101.

(4.) Finance of Leadenhall Market, *Gomme*, 4101.

(5.) Limited accommodation and inconvenience of Billingsgate, *Kemp*, 5066–88.

Practically the whole market is occupied; extensions made in 1878 and 1888, *Knott*, 8073–7.

Opposition of Shadwell Market and Stratford Market Bills made by the Corporation in the interest of the Billingsgate Market bondholders, *Knott*, 8078–81.

The establishment of the Inland Fish Market proved a financial failure, *Knott*, 8082–4.

(6.) Coal Market established in Coal Exchange under 43 Geo. III. c. cxxxiv. Corporation had power to levy ½*d.* a ton, afterwards 1*d.* to defray expenses. Revenue and expenditure in the years 1889–92, *Gomme*, 3787–800, 3982–94.

Money from Coal Dues applied to Farringdon Market improvement loans, *Gomme*, 3965–81.

(7.) Establishment, under Corporation in preference to the Metropolitan Board of Works, of Deptford Cattle Market. The Corporation takes profits but has not to pay compensation in cases of cattle disease, *Kemp*, 5151–62.

Finance of Deptford Market, *Gomme*, 3787–809, 3893–900, 3911, 4038–56, 4099; *Payne*, 6830–926, 7006–12.

Proposed transfer of all markets to the New Corporation, *Harrison*, 8848–53; *Cohen*, 12,759–85; *Antrobus*, 13,033–5; *Harris*, 13,133–8.

2. *Outside City:*

All in private hands, under charters, except Deptford (Foreign Cattle), Islington, and Smithfield, belonging to Corporation, *Rotton*, 435–44; *Harrison*, 855.

See also COVENT GARDEN, SPITALFIELDS, and HUNGERFORD MARKETS.

The County Council has only power to spend money in inquiries, *Rotton*, 434, 435.

The local authorities should have power to provide local markets, *Holland*, 11,974–90. They probably have already, except so far as the City monopoly (which is not pressed) is valid; *Dickinson*, 13,574–7.

MARYLEBONE, ST. *See* ST. MARYLEBONE.

MAYOR'S COURT. *See under* CITY OF LONDON, 5 (*b.*)

MEDICAL OFFICERS OF HEALTH:

Under Local Government and Public Health Acts the County Council pays the half salary of officers appointed after a certain date, and has power to demand annual reports; if no report is sent, the Council has power to withhold the half of salary; in cases of unsatisfactory reports the Council makes representations to Local Government Board, which is the ultimate authority, *Dickinson*, 1376–97.

See also under SANITARY ADMINISTRATION AND CONTROL.

METROPOLITAN ASYLUMS BOARD:
Notification of infectious diseases sent through the Board to County Council, *Dickinson*, 1398–1403.
Hospitals for infectious cases provided by, *Dickinson*, 13,531.

METROPOLITAN BILLS:
The County Council may raise temporary loans by issue of, *Rotton*, 766; *Dickinson*, 1267. *See also under* BORROWING POWERS. (*b.*) (4.)

METROPOLITAN BOARD OF WORKS:
Predecessors in great measure of County Council; established in 1855 by Metropolis Management Act, and abolished in 1888 by Local Government Act, *Rotton*, 11–13; *Harrison*, 855–64.

METROPOLITAN COMMONS AND OPEN SPACES. *See* COMMONS AND OPEN SPACES.

METROPOLITAN FIRE BRIGADE. *See* FIRE BRIGADE.

METROPOLITAN GAS SUPPLY. *See* GAS SUPPLY.

METROPOLITAN POLICE. *See* POLICE.

METROPOLITAN SEWERS, COMMISSIONERS OF:
A single commission of for all London, instead of the seven previously existing outside the City, issued under Metropolitan Sewers Act, 1848, *Rotton*, 60–3; *Kemp*, 5711; *Harrison*, 858, 859, 9063.

METROPOLITAN STOCK:
Issued by County Council for permanent debt, *Rotton*, 755–73; *Dickinson*, 1245–50, 1263–4. *See also under* BORROWING (*b.*) (4.).

METROPOLITAN WATER SUPPLY. *See* WATER SUPPLY.

MILE END OLD TOWN:
Area, &c. of, *Costelloe*, 13,977.
Rating authorities in, *Dickinson*, 1228.

MILITIA, City of London, supported by a triennial levy of the Trophy Tax, *Kemp*, 6123; *Harrison*, 890.
Proposals of County Council as regards, *Harrison*, 9092–8.
See also under LORD LIEUTENANT.

MILK, PURITY OF:
County Council can only inspect London dairies, and thus cannot regulate the country milk supply, *Dickinson*, 1432, 1433, 13,505–6.

MITCHELL'S CITY OF LONDON CHARITY. *See* CORPORATION, 7.

MONCKTON, SIR JOHN BRADDICK, TOWN CLERK OF THE CITY OF LONDON:

ANALYSIS OF EVIDENCE.

Witness formally hands in City statement, and protests against reports made in the press that the City has wilfully delayed its preparation, 2289. The statement has been prepared by the special committee of the Corporation to whom the matter is referred, 2290–3. Protest of the Corporation, 2294. Its attitude of mind towards an invitation to consider whether amalgamation should take place would be different from its attitude to an invitation to consider how it could best be done. Understanding that the question of desirability of amalgamation was still open, the Corporation had two motives in consenting to take part in the present inquiry, firstly, deference to a Government request; secondly, that it would only result in leaving matters pretty much as they are, 2295–301.

1. CONSTITUTION, &c. OF THE CITY AND THE CORPORATION.
The Corporation is of extreme antiquity, and the City is a county of itself, with the independence of a county, 2302–5. There are numerous charters defining and enlarging the powers of the Corporation. Under a charter of 15 Edward III., the Corporation has power to reform its own constitution, 2306–12. There has been no judicial interpretation of this provision, 2313–20. No act of Common Council has been taken to a court of common law to settle whether it is "agreeable to good faith and reason for the "common advantage of the citizens and other "liege subjects sojourning with them, and useful "to King and people," &c., as provided in the charter, 2321, 2322. The Corporation claims and exercises unlimited power to make acts of Common Council, 2323–6. Some of the recent changes in the constitution of the City have been effected by acts of Common Council, others by Act of Parliament, 2327. The change in the election of Aldermen was carried out by statute; though the Common Council claims the power, it does not exercise it in electoral matters, 2328–36, 2347. It has been the custom of the Corporation to alter its numbers and areas of representation, 2337–43. The Common Council could make the office of alderman an annual instead of a life office, 2345–6. Many of the recommendations of the Royal Commission of 1854 were matters for Parliament, not the Corporation, to deal with, 2349–51. The last change in the Corporation's constitution effected by itself (alteration of the wards) happened early in the century, 2352–6. Various internal alterations have been made by act of Common Council without ratification by Parliament, 2357–63. The Corporation still has power to alter the conditions of tenure of the aldermanic gown, 2364–72. Instance of Corporation retaining its original power, even though Parliament had interfered, 2373.

Readjustment of City Boundaries:
Farringdon Ward was split in two in the reign of Richard II.; this Act was confirmed by Parliament, though it would have been valid as made by the Common Council alone, 2468–71. From the time of Richard II. the City has had jurisdiction within its walled area and within a certain distance over the liberties outside that walled area, 2474, 2475. Since the number of wards was fixed in Edward VI.'s time, there have been one or two extensions of the outside wards, but there has been no readjustment of wards within, 2478–82.

2. THE LORD MAYOR:
Mode of election:
The livery being assembled in common hall, a list is read by the Common Serjeant of the Aldermen who have not passed the chair and who have served the office of sheriff. The Liverymen usually choose the two senior, but they may pass over either or both of them, and choose one of the other aldermen who have passed the chair, 2374–7. The liverymen have never claimed the power of electing a man who had not served the office of sheriff, 2378–80. It is assumed as a legal necessity that a man to be elected Lord Mayor must have been a sheriff, and must be an alderman, 2381–6. The liverymen used to be the constituents of aldermen within their several wards, 2387–9. Steps taken to exclude all but liverymen from voting at election of Lord Mayor, 2390–3. A register of liverymen is kept in case of a poll being demanded, but the Lord Mayor is generally elected by show of hands, 2393–9. There is no sectional opposition between the electors of the ward and the electors in Guildhall, 2400–4. As a matter of fact, the liverymen invariably return the two senior aldermen, and the Court of Aldermen (having power of veto) selects one of these, 2405–7. It could reject one or both; it generally elects the senior, who is presented to the Lord Chancellor for the Queen's approbation; no instance in late years of the Sovereign's approbation being withheld, 2408–23.

Fourfold condition of election of Lord Mayor:
To become Lord Mayor a man must have been—
(i.) Elected Alderman by the ratepayers of his ward (subject to the approval of the Court of Aldermen).
(ii.) Elected Sheriff by the liverymen in common hall.
(iii.) Selected as candidate for the Mayoralty by livery in common hall.
(iv.) Finally elected Lord Mayor by the Court of Aldermen, subject to the Sovereign's approval 2424–30.

Duties, &c.:

The Lord Mayor is called to the Privy Council on the demise of the Crown; is termed "Right Honourable" by courtesy only, 2431–6. The Lord Mayor must formally appoint an alderman, who has passed the chair, as *locum tenens*, to preside, in his absence, at formal meetings of the Courts of Common Council and Aldermen; this is a custom without authority; at ordinary meetings any alderman can take his place without a formal document of appointment, 2437, 2438. The Lord Mayor is informed by the Home Secretary of the occurrence of events in the Royal Family, 2439. He summons and is responsible for all meetings of the Courts of Aldermen and Common Council, but, unlike the chairman of a county council, he is not *ex officio* on all committees. If he serves on any committee at all it is merely as an alderman. If he attends a committee, of which he is not a member, to make a communication, he could not vote, 2440–50. The Lord Mayor reads the reports of the committees, and thus becomes acquainted with all the municipal work, 2451–4. He could not, on his own responsibility, put off any business from one court to another, 2455–7, but would strike out of the paper any irrelevant or improper matter, 2458. There are standing orders for the conduct of business, and the Lord Mayor is appealed to as chairman, 2459–67.

3. Aldermen:

(i.) *Election of:*

A statute prescribes who may elect and be elected aldermen; any freeman of the City, whether resident or no, may be elected; he may decline to serve without fine if he pleads that he is not worth 30,000*l.*, 2483–93. Before the Act 30 Vict. c. 1. the election of aldermen was in the hands of the freemen, it is now now in the hands of (i.) those on the register of Parliamentary electors, and (ii.) those who would have been on the Parliamentary Register if they had been resident, 2492–518. This change had been recommended by the Royal Commission of 1854, 2494. There has been no corresponding change in the election of Lord Mayor, 2495–8. The Lord Mayor presides at the election of aldermen; any alleged irregularity is examined on petition to the Court of Aldermen, 2519–21. The Wardmote elections take place in any public room in the ward, 2522–3. On an average, one vacancy for an alderman occurs every two or three years, 2524–30. Sometimes there is a contest at an alderman's election, and sometimes a man comes in unopposed; a man's introduction to public life in the City generally begins with the various parochial offices; though in some instances men are elected merely on the strength of their business position, 2531–8.

(ii.) *Professions, &c. of Aldermen:*

The old class of residential aldermen has died out. Bankers and financiers are either too wealthy to take any interest in the Corporation or too busy to take part in the affairs in the City. A few shipowners are common councillors, 2539–42. Many aldermen and common councilmen are chairmen of companies and heads of wholesale houses. There was a Parliamentary return in 1882 on the subject of trades, professions, and occupations of aldermen, 2542–57.

Aldermen as Justices:

Aldermen become, by election, justices, and for improper conduct may be removed like any other justices by the Lord Chancellor representing the Crown; they may be removed from their office of Aldermen, and consequently justices, under the Acts 17 Richard II., and 13 Victoria c. 94; there is no parallel instance elsewhere in the Kingdom of a man becoming a justice by election, except a mayor during his year of office, 2655–74.

The Lord Mayor sits at the Mansion House and the other Aldermen sit in rota at the Guildhall (as a rule about two weeks a year, but those who have the time take more). One man may be more keen than another, and if the Lord Mayor deputes a heavy case the best Alderman available would be selected to try it, 2704–7. An Alderman would retire if unable to continue his magisterial work, but by courtesy he might, although no longer acting as a justice, remain an Alderman, 2675–81. Each Alderman has the power of two ordinary justices; the division of cases between the Guildhall and the Mansion House is now according as they arise north or south of a given line, 2682–6. The Justices' Clerk at the Mansion House has a salary rising from 500*l.* to 1,000*l.* a year, 2690–2.

The system of lay magistracy is preferable to that of stipendiaries; the City justices take a great deal of trouble in the performance of their work, 2687–9.

If some anticipation of reward could be held out no doubt it would be a good thing to extend the system of lay magistracy over all London, 2693. The number of commercial cases in the City is much greater than the number of offences against the person, there being hardly any night population, 2694, 2695. Comparison between the justices of London, and those of Liverpool and other towns, 2696–702.

Court of Aldermen:

(i.) *The Court and Committees of the Court:*

There are four standing committees, all of the whole Court, viz., Committee of "Privileges," "In relation to Gaols," "General Purposes," and "Finance." Special committees are appointed from time to time as required, but this is not often, as the General Purposes Committee can deal with almost everything. Committees generally sit in camera, 2606–23.

There is more freedom of speech in the committees than in the Court, but there are the same rules of debate, 2614–17. The distinction between the Court and a committee of the Court is that the former sits in public and has full powers, whereas the latter sits privately, and has the power conferred on it by its reference; both are composed of the same persons, 2617–22. Two committees never sit at the same moment, but it is possible for the Court of Aldermen to sit in five different capacities in one day; the Court hardly ever overrules the committee's decisions, 2624–30. To form a quorum of the Court of Aldermen, the Lord Mayor or his *locum tenens* and 12 out of the 26 Aldermen must be present, the quorum of a committee is three, 2623–31–4.

The Court appoints visiting committees of Newgate and Holloway gaols, 2643, 2644. It nominates six Aldermen on the Council of Almoners of Christ's Hospital, 2645–7.

(ii.) *Officers appointed by the Court of Aldermen:*

The court appoints the Recorder, the Steward of Southwark, and the clerks and subordinate officials of the Guildhall and Mansion House justice rooms. Their duties are magisterial. The court municipally appoints the Recorder, but the Crown approval has to be given him to enable him to perform his judicial duties, 2684, 2685.

The Steward of Southwark presides over the Court Leat for the Corporation as quasi Lord of the Manor, 2652–5.

(iii.) *Jurisdiction over Livery Companies:*

If the companies desire to enlarge their livery, they have to come to the court of aldermen for permission to do so; and the court grants liveries to chartered companies of freemen and "takes "cognizance of any matters that may be "brought before the court touching the manner "in which the livery companies act up to "the conditions imposed by the court in granting the livery or otherwise." The court has power to punish refractory companies by cancelling their livery, 2558–65. By limiting the number of liverymen the constituency is not swamped, 2567, 2568. The use of the word "Livery" is derived from the fact that members of the various companies used to wear uniforms or liveries attaching to their craft, 2566. A company can only be created by charter, and in most charters it is provided that the Court of Aldermen may grant a livery, 2569–72. The liverymen are Parliamentary electors in the City if they reside within 30 miles of it, 2569–74.

The system of Aldermen sitting as justices would still answer well even if the City were enlarged; it is not a fact that the Aldermen can be spared to do judicial work because their municipal work is small, 2708–10. Were the City to be extended to twice or thrice its size, the work of the committees would not be increased and they could do the work of the larger as easily as that of the smaller, 2714. The Aldermen who have passed the chair are nominally Justices for Southwark. They are not paid, 2738–44.

The functions of Aldermen in respect of licensing sessions do not differ very much from the functions of justices of the peace at ordinary petty sessions, 2746.

In fire inquests in the City an Alderman acts as chairman under the City of London Fire Inquest Act, 1888; every fire is reported by the Police Commissioner and the head of the Fire Brigade to the Coroner, and, even if there has been no fatality in connexion with it, he can hold an inquiry, or the Lord Chief Justice, the Lord Mayor, or Home Secretary can direct an inquiry, 2747–65.

The Corporation does little municipal work as defined by the Municipal Corporations Act, the Commissioners of Sewers do it for the Corporation, 2715–9. The chairmen of committees are not necessarily Aldermen, so that the judicial work does not interfere with the municipal, 2720. If there were stipendiaries in the City, new work would have to be found for the Aldermen, but the Aldermen and citizens would be very reluctant to give up their judicial functions; though it may be an honourable position to be a chairman of a committee, it is much more so to be a magistrate, 2721–30.

Municipal Work of the Aldermen in the Wards, &c.

The Aldermen have very great influence in their wards, and all subjects of importance are referred to them; this does not happen in other towns where Aldermen are assigned to particular wards after their election as Aldermen of the borough, 2731–6.

Each Alderman summons the wardmote of his own ward on the Lord Mayor's precept to elect the Common Councilman and the beadle, who, for the Alderman of the ward, sees that publicans observe all the laws now in force for the regulation of the public-houses, 2766–74. The wardmote has no coercive powers, but can only pass resolutions, it has no power to levy special rates or to spend money. In the case of a Bill opposed by Mr. Crawford on behalf of a wardmote, the expenses came out of the ward expenses, which under the Police Act, 1839, s. 85, come out of the police rates, 2775–94.

The Aldermen have two deputies in their wards, who can take their place on all occasions except at the annual elections, 2795, 2796.

Two Aldermen are co-trustees of Morden College with representatives of the Turkey Merchants and the East India Company; in future seven Aldermen will be appointed as sole trustees, 2803–14. The Lord Mayor and Aldermen have elected an Alderman to be an additional trustee of Sir John Soane's Museum under the Act 3 Will. IV., 2815, 2816.

The Aldermen are Governors of Emanuel Hospital, under Lady Anne Dacre's will, 2817.

The Court of Common Council, Election of.

Qualifications of Electors:

Males of full age who are—

1. Voters on the Parliamentary register for the City, including 10*l.* occupiers of buildings, inhabitant occupiers of dwelling-houses, lodgers, and servants, but not liverymen who are freemen, as above, and not 10*l.* occupiers of land.

   (*Note.*—Sections 3 and 4 of 30 Vict. c. 1. refer only to persons on the Parliamentary register *in respect of the occupation of any house, &c.*)

2. Persons who, if resident, would have been on the Parliamentary register as occupiers of any house, warehouse, counting-house, office, chambers, shop, or other building, but do not reside within the prescribed limits.

   The right of voting is confined to the ward in which the qualifying premises are situated, 6203–14.

The number of candidates is not usually known before the nomination day, 6215–8. Contested elections are not common, 6219, 6220. Elections are never fought on political grounds, 6221–7. The wardmotes are held like old Parliamentary elections; any one can appear on the hustings and propose a candidate; if more than one are proposed a poll is taken next day under the City of London Ballot Act, 6228, 6229. An occupier voter may live at any distance from his qualifying premises, 6230–3. Since 1852 the municipal electors have increased from 5,905 to 29,337, 6,239. Women do not vote in ward elections, but they possibly may be entitled to, 6234–40. It is possible that women may be aldermen, 6241–7.

Organisation:

There are no definite organised sides in the Court of Common Council, what divisions there are are on matters of transient interest; every question arising would divide the Council differently, 6248–55. The customary quorum of the Court is 40, including always the Lord Mayor or his *locum tenens*, and at least two aldermen, 2801, 6256, 6257. The number of the Council dates back to time immemorial, 6258.

Standing Orders:

Officers are elected at the Second Court after St. Thomas's Day, held generally on the third Tuesday in January, the First Court being occupied mainly with the election of committees. Returns are verified by the Court of Aldermen on Plow Monday, and appeals are notified then. Officers retain office till the Second Court, 6259–66. No resolution of the Court may be rescinded or altered except by a majority of two-thirds of the members present and voting, (S.O. 29), 6267–73. No resolution may be passed without notice except by leave of the Court, (S.O. 28), 6274–6. Amendments are at the discretion of the Lord Mayor, 6277–83. The agenda paper, which is perused and initialled by the Lord Mayor, must be sent to members three days before the Court, 6284–90. There are strict orders as to notices of votes of money; that no member should be interested in any vote given; and that no member or son of a member should be eligible for appointment to an office, 6291–5. Any vote of the Court affecting the salary or remuneration of an officer must be by ballot, 6296, 6300. The expenditure of the money allowed the committees for expenses rests with the several chairmen, who generally spend more than is allowed, paying the difference out of their own pockets. The expenditure is for luncheons, dinners, &c. to persons connected with the several committees. The refreshments allowed to the committees themselves are very slight, 6301–21. As a rule the committees are ward committees, consisting of, besides the retiring chairman, six aldermen and 29 commoners, counting one for each ward or side of a ward. There are 24 such committees; only the police committee consists of all the aldermen, and the deputy and a commoner from each ward, 2797, 6322–5. Seven is a quorum, but about half the committee usually attend, 6326. Special committees consist of from 10 to 15 members, 2798. The question of reducing the numbers on the several committees has not been substantially considered, 6327–9. The three market committees are distinct. Principles upon which the wards are represented upon the several committees, 6330–47. Sometimes the court adds a man specially to a committee who has particular knowledge on a particular subject for a year at a time, 6348–52. The best fitted men are as a rule selected by the wards for committees, 6353–4. There are about 24 ward committees; a reduction of their number is not desirable, 6555–7.

Wards:

The ward feeling is strong. A bill was promoted in 1857 to reduce the number of wards, but this

MONCKTON, SIR JOHN BRADDICK—Evidence of—*cont.*

evoked so much opposition in the City that it was dropped, 6358–68. The wards have some little property, schools, &c., 6369–73.

The City wards are not really analogous to those of ordinary municipalities, which exist only for electoral purposes, and have no independent vitality under their aldermen, 6374–6. The large wards have only one alderman, but have a larger representation upon the Common Council, and so are not jealous of the smaller wards, 6377–87. The number of representatives on the Common Council is based on rateable value and population together, 6388–94. The present numbers were fixed by act of Common Council in 1840, 6407–9. The Common Council has power to alter wards, 6395–9. A financial statement, a budget containing an estimate of expenditure and revenue for the coming year is annually presented to the Common Council by the Chamberlain, 6400–2. This is duly considered by the Council and passed, 6403–6.

Patronage:

The patronage of City livings is exercised by vote of Common Council, generally after hearing competitive sermons. A similar course is followed with the Gresham Divinity Lecturership, 6407–24.

Selection of Officers:

In the case of high officers the whole of the names of candidates go before the Court of Common Council, 6425; on a vacancy occurring it is referred to a committee—usually the Officers' and Clerks' Committee—to report upon the nature, duties, and emoluments of the office, their continuance, alteration, or cessation. The committee reports to the court, which decides thereupon, 6426–8. Then comes the selection by the court of candidates, who are occasionally first interviewed privately by an informal committee of the whole court, 6429–35. With some exception, such as the Commissioners of Police and Judicial Officers, the officers are elected annually, 6436–42. Vacancies for high offices are not usually advertised, 6443.

Pensions:

A scheme giving officers an absolute right to pension has recently been passed; previously pensions were entirely at the discretion of the Council, 6444–8. The scheme includes contributions from the officers themselves, which would be refunded if an officer failed for any reason but misconduct or incompetency to be re-elected, 6449–50.

The Court of Common Hall.

This Court is an assembly of the liverymen of the companies in certain prescribed numbers; it elects the Lord Mayor, sheriffs, chamberlain, and a few other officers, 6451–2. The livery may be summoned by the Lord Mayor to meet in Common Hall at other times to discuss questions of common interest, 6453. Such a meeting would represent the companies rather than the City at large; when the opinion of the latter is wanted, a public meeting of citizens would be called, 6454–7. Meetings of the liverymen are not common; one was held in 1884 on Sir William Harcourt's Bill, which passed resolutions which were forwarded to the Government, 6458–64. They are the surviving representatives of the old commonalty of the City *en masse*, 6465. Their principal duty is to elect the Lord Mayor, &c. The Royal Commission of 1854 recommended that this should be taken away from them, 6466–7. A poll at the election of Lord Mayor is occasionally taken, 6469–70.

Sheriffs:

The Lord Mayor has the right of nominating (not more than three) candidates for the shrievalty for a period of five years; this right is religiously kept up, 6470–4. The Commission of 1854 recommended that the sheriffs should be elected by the Common Council, but witness thinks the present mode preferable, 6475–6. The office of sheriff is sought after, though it involves considerable expense, 6477–9.

Evidence on the other matters dealt with in the Corporation statement can best be given by the offices immediately concerned with each, 6480–6527.

MONCKTON, SIR JOHN BRADDICK. Evidence of—*cont.*

Offices:

The Council Chamber is good, but the Corporation offices are very cramped, and the accommodation deficient, 6531–7. Improvement would be expensive, as land in the neighbourhood of the Guildhall is so costly. It is not absolutely necessary, though it is convenient, that the offices should adjoin the Council Chamber, 6538–42.

Police:

The government of the City police is in the hands of the Commissioner, subject to the approval of the Lord Mayor and aldermen and the Secretary of State; the Commissioner is appointed by the Common Council and removeable by Court of Aldermen subject to Secretary of State, 2587–2605.

There is a Police Committee of the Common Council consisting of the aldermen, all the deputies and a commoner from each ward; unlike police committees in ordinary boroughs, which appoint constables, &c., the committee of the Common Council deals merely with questions of pay, buildings, clothing, &c., 2578–87. It appoints the surgeon and Receiver, manages the buildings, provides accoutrements, pay, and pensions, and makes the police rate, which is certified by the Deputy and Common Councilmen of each ward, 2799–2800.

Certain public bodies in the City may, with the sanction of the Court of Aldermen, admit certain of their officials to be special constables, 2575–7.

Deliberations of the Common Council as to giving Further Evidence, 2818*a*–47, 2956–3034, 3287–94, 6189–202, 6546, 6547, 6637, 8128–30, 8353*a*.

MONTAGUE, Mr. ROBERT EDWARD, M.A., Master of the Freemen's Orphan School.

The Freemen's Orphan School, which is at Brixton, contains 100 boys and 50 girls, who are fed, clothed, and educated without charge, 7260–5, 7273–5. The cost of the school (about 7,000*l.* a year), except about 50*l.* a year derived from investments, is defrayed out of the City's cash and the fees and fines of freemen, 7266–72. Admission is limited to the children of freemen, but none of them are rejected except on medical or educational grounds, as not being up to the required standard, 7273–6. The number of applications varies, but as a rule the school is full, 7277. Children come at seven or nine as a rule, but sometimes as old as 11. They leave at 15, generally to be apprenticed or other employment in shops, &c., but some to be telegraphists, teachers in schools, &c., 7278–81, 7284–6. Several go in for the University local examinations, 7282, 7283. A few go to other schools, and thence to the universities. It is contemplated to give scholarships from the school to the City of London School, 7287–9. The salaries paid to the staff are moderate, 7289–93. There are three assistant masters and three mistresses. The master is the head of the school, but does not interfere with the teaching on the girl's side, 7293, 7294. The Corporation has lately expended considerable sums on sanitary works and apparatus for technical education. There is a brass band and a carpenter's shop, 7296–7. The school gets nothing from the County Council for technical education, 7297.

MORDEN COLLEGE:

Foundation and management of, *Kemp*, 5564–9; *Monckton*, 2804–14.

See Corporation, 7.

MORRYS, PETER:

Establishment of London Bridge Waterworks by, *Kemp*, 5676–82.

MORTUARIES. *See* CEMETERIES AND MORTUARIES.

MOTTINGHAM:

Included in County of London, *Dickinson*, 8641.

MUNICIPAL BOROUGHS; GOVERNMENT OF.

General lines of Municipal Corporations Act should be followed in dealing with central and local bodies in London. *Harrison*, 8670, 8697-701; *Clare*, 10,091; *Boulnois*, 12,547-8; *Cohen*, 12,706-12.

1. Election of Councillors:

One-third of the council is elected annually, which is preferable to the triennial election of the whole, as preserving a continuity of policy, *Clare*, 10,046-8; *Johnson*, 9271-302; *Pritchard*, 12,013-20, 12,035-8. There is occasional inconvenience from this system but no demand for a change, *Pritchard*, 12,020-6. The elections generally take place on political party lines, but after they are over politics play no great part in the work of town councils, *Pritchard*, 12,039-44; *Clare*, 10,049-91; *Johnson*, 9285-93; cumulative voting secures permanency in the constitution of a body, *Pritchard*, 12,066-8, but is not necessary in Nottingham, *Johnson*, 9327-30.

2. Election, &c. of Aldermen:

Aldermen are elected by aldermen and councillors usually, but not necessarily from the councillors. This mode of election enables a party to remain in office against the will of the electors; they should be elected by councillors only, *Clare*, 10,063-91; *Johnson*, 9266-70; *Pritchard*, 12,069-83; they are elected for six years, half retiring every third year, *Johnson*, 9266-317. Value of aldermen on the council as giving continuity to its policy as well as mature experience, *Johnson*, 9277, 9303-4; *Clare*, 10,075, 10,076, *Pritchard*, 12,086-103. They number one-third of the councillors, this is better than one-sixth, *Clare*, 10,075, 10,076; *Johnson*, 9317, 9318.

3. The Mayor:

Election of, *Johnson*, 9440-50. In some boroughs he is given an allowance, in others he is not; he is more engaged in ornamental, ceremonial, and charitable work than in municipal, *Clare*, 10,365-71, 10,396-405; *Johnson*, 9729-34, 9789-801.

The Sheriff:

Election and functions of (Nottingham), *Johnson*, 9724-349; 60-2.

4. Working of the Corporation:

Business is transacted through committees, whose numbers vary, mode of appointment, *Clare*, 10,123-33, 10,150-90; *Johnson*, 9434-41; working of committees, *Johnson*, 9440-50; *Clare*, 10,159-60; procedure in framing estimates, *Clare*, 10,161-79, 10,454; *Johnson*, 9463-99; functions of Finance Committee, *Clare*, 10,180-6; *Johnson*, 9485-503.

5. Police:

Generally controlled by a chief constable subject to a watch committee, *Johnson*, 9665-7-81; *Clare*, 10,412-27.

6. Officers:

The town clerk is the chief of the staff, having numerous assistants under him. He is a lawyer, and he acts generally as adviser to the corporation, *Clare*, 10,319-25; *Johnson*, 9542-4, 9833-65; Other corporation officers, duties, &c., *Johnson*, 9545-91.

The Chief of the Staff should be a permanent official rather than a paid member, to preserve continuity of administration, independence, &c., *Pritchard*, 12,104-11; *Clare*, 10,319-25; *Johnson*, 9827-32, 9847-9. Witness would not prefer a political head with a powerful permanent chief under him (as in Government departments), *Pritchard*, 12,118-22; town clerks in Scotland hold very independent positions, *Pritchard*, 12,113-5.

See also Liverpool *and* Nottingham.

7. Limits to Area that can efficiently be Governed by a Single Municipality.

i. A population of 1,000,000, *Cohen*, 12,825.

ii. One drainage area, *Johnson*, 9373-5, 9,672-83, *but see Clare*, 10,324-5.

MUNSEY, Mr. T. HENSMAN, Evidence of. *See* Bonthron.

MURRAY, Mr. ANDREW, Surveyor of the City of London.

Analysis of Evidence.

Witness has served nearly 40 years altogether, 17 as Chief Assistant to the Surveyor, 7900-3.

The Surveyor:

Duties.—To attend all meetings of the Courts of Aldermen and Common Council and Committees when required, and carry out all building and repairing work ordered by them; to make surveys and valuations of the City and Bridge House estates, and advise as to lettings; to make plans for leases, and to examine the plans and superintend the construction of buildings under building leases—for which 12 months is usually allowed—to see that the terms are observed; to direct sales of old materials; settle disputes between tenants as to party walls; periodically inspect houses let on lease, and when a lease is expiring, survey the premises and prepare schedules of dilapidations, 7904-9. Supervision is stricter than it used to be, and middlemen are being eliminated as far as possible, 7910-7. The business in connexion with the sale, purchase or exchange of property is at present small, 7918-9. The surveyor also reports on plans submitted to the licensing justices for alterations under the Petroleum Acts; examines premises, and reports upon applications, 7950-1.

Building or Repairing Work is done partly by the Corporation's own staff, and partly by contract. Witness considers the former more economical and generally preferable on the whole, except where large plant is required, which the Corporation may not have, 7920-40.

Letting Property:

There is no difficulty in getting tenants for City property at good rentals; the Corporation is considered a good landlord, 7941-5.

Artizans' Dwellings:

The Corporation built a block 30 years ago in Farringdon Road, under the Clerkenwell Improvement Act, and more recently dwellings have been built under the Holborn Valley Improvement Acts, and the Tower Bridge Act, on the Bridge House Estates and elsewhere. The Tower Bridge Dwellings, in Tooley Street, are filling very slowly, 7946-9.

Markets:

The markets are being constantly extended. An extension of the Central Markets has only just been finished, 7952-3.

Value of the City Property:

This could be readily ascertained if required, 7954-6.

MUSIC HALLS, LICENSING OF, in hands of County Council throughout the metropolis; *Dickinson*, 1415-9.

MYDDLETON, SIR HUGH. Establishment of New River Waterworks by, *Kemp*, 5683.

NAMING OF STREETS:

County Council has absolute power, but generally asks local authorities to suggest names, *Dickinson*, 1412-4, *Longstaff*, 13,733-7; proposal that this duty should be transferred to local authorities, *Boulnois*, 12,575-8; *Leete*, 10,559-673; *Tagg*, 10,756-852; the central authority or the Postmaster-General might exercise a veto to prevent needless reduplication of names, *Leete*, 13,295-300; *H. J. Smith*, 11,747-88; *Dewey*, 11,649-60; the duty had better remain with the central body, *Dickinson*, 13,611; *Longstaff*, 13,733-7.

NEWGATE MARKET, Abolition of. *See* MARKETS.

NEW RIVER WATERWORKS, Establishment, &c. of, by Sir Hugh Myddleton, *Kemp*, 5683; *Bridgman*, 1770-800.

NOTTINGHAM, THE BOROUGH OF:

Evidence on behalf of, *see* Johnson.

1. Municipal Council, Constitution and Election of:

(1.) *Town Councillors:*

Mode of election of, *Johnson*, 9265, 9266.

One-third retire annually, convenience of this, *Johnson*, 9271-89, 9293-302.

Influence of politics at these elections, *Johnson* 9285-93.

NOTTINGHAM, THE BOROUGH OF—*cont.*

(2.) *Aldermen:*

Mode of election of, they are elected for six years, and half retire every third year, *Johnson*, 9266–70, 9317.

Suggestion as to the mode of election, *Johnson*, 9313–5, 9331–3.

Usefulness of the aldermen, *Johnson*, 9277, 9303, 9304.

Aldermen are generally elected from the councillors who have served a long time, *Johnson*, 9305–13, 9316.

They number one-third of the number of councillors, *Johnson*, 9317, 9318.

They have no connexion with the wards, *Johnson*, 9219–21.

Average size of wards, the larger the better, *Johnson*, 9327–30.

2. Population. Enlargement of Borough Boundaries:

Present population, *Johnson*, 9334–7.

The Borough was enlarged in 1876, absorbing 8,000 more acres, *Johnson*, 9338–43.

The opposition which met this fell through, *Johnson*, 9344–8.

There is similar opposition around London, *Johnson*, 9349–52.

The old town favoured the enlargement in spite of the financial loss, *Johnson*, 9359–67.

3. Work of the Corporation:

(i.) *Matters over which the Corporation exercises jurisdiction:*

(*a*) *Municipal.*

(1.) Corporate estates, the benefits of these were extended with the Borough, *Johnson*, 9353–9, 9769–71.

(2.) Markets, weights and measures (inspection of), public weighing machines, parks and recreation grounds, burial grounds, public baths and washhouses, *Johnson*, 9367–71, 9625–34.

(3.) Police, strength and annual cost; controlled and managed by the chief constable and Watch Committee; constables have power of appeal from the chief constable to the Watch Committee, and thence to the Council, *Johnson*, 9665–7, 9637–5, 9371–81. Procedure in cases of disturbances, *Johnson*, 9639–53. Appointment of the chief constable, who may be dismissed by the magistrates, *Johnson*, 9657–72. On the enlargement the borough police superseded the county, this has proved a great advantage, *Johnson*, 9672–83, 73–5. Duties of the chief constable and Watch Committee, *Johnson*, 9658–70.

(4.) Fire brigade, *Johnson*, 9382.

(5.) Administration of justice, *ib.*

(6.) Free public libraries, how supported, *Johnson*, 9382, 9620.

(7.) University College, cost and management, *Johnson*, 9382, 9592–614.

Municipal School of Art; cost and acquisition by Corporation, *Johnson*, 9382, 9621–4.

The Castle Museum, *Johnson*, 9381–3.

(8.) Town improvements, annual cost raised by loan, *ib.*

(9.) Construction of streets and roads, maintenance and scavenging, cost, *ib.*

(10.) Sewage, drainage, and sewage farm, cost, *Johnson*, 9382, 9778–80.

(11.) Removal of house refuse and sanitary administration, general annual cost, *Johnson*, 9382, 9393.

(12.) Epidemic Hospital and Pauper Lunatic Asylum, cost of both, *Johnson*, 9778–80, 9763.

(13.) Public lighting and meteorological observations, *Johnson*, 9383.

(14.) Garden allotments, price of lease, *Johnson*, 9765–77. Scale for tenants' compensation on disturbance, *Johnson*, 9820–4.

(15.) Electric lighting, workmen's wages, *Johnson*, 9698–709. Electric light is now being introduced, *Johnson*, 9718.

(16.) Gas supply, annual income, the Corporation largely supplies the county and holds contracts, *Johnson*, 9385–92, 9710–7. Management and price of the gas, profits give a return of 2½ per cent. on the capital, and 3½ per cent. on the debt, *Johnson*, 9684–97.

NOTTINGHAM, THE BOROUGH OF—*cont.*

3. Work of the Corporation—*cont.*

(17.) Water supply derived from wells, *Johnson*, 9390–2, 9720–9.

(18.) Maintenance of public buildings, *Johnson*, 9392.

(*b.*) *County.*

Appointment of sheriff, bills of cravings are paid by the Corporation, *Johnson*, 9392.

Appointment and payment of coroner, *Johnson*, 9825, 9826.

The borough has been a county since the time of Henry II., hardly any additional power was given it by the Act of 1888, *Johnson*, 9393–8; has also had its own quarter sessions, assizes, lord lieutenant, and recorder, and commissions of oyer and terminer and gaol delivery, which are now held at the same time as those of the county, *Johnson*, 9399–402, 9781–8.

If the Corporation (as is desirable, *Johnson*, 9413, 9414) administered poor relief and public education, it would be one body completely ruling the town, *Johnson*, 9403–15.

Area of the school board, it borrows from the Corporation, *Johnson*, 9405–13.

Convenience of the Local Government Board's control, *Johnson*, 9414–22.

(ii.) *System of Committees of the Town Council:*

Every councilman is on one or more of the 18 standing and five special committees, but—with rare exceptions—no one can be chairman of two standing committees; this rule should be altered, *Johnson*, 9422–33, 9462.

Appointment:

Committees are appointed in November and cease at the end of the year; the members stay on from year to year, and vacancies are filled by election; there is the same proportion of Liberals and Conservatives on each committee as on the Council, *Johnson*, 9434–7, 9441 (discontinuance of the committee of selection, *Johnson*, 9438, 9439).

The mayor is first elected by the Council, then the sheriff and aldermen; they then appoint committees on the motion of their outgoing chairman, *Johnson*, 9440–50.

Any councilman may propose a candidate for a committee, *Johnson*, 9451–61.

Working:

Procedure in fixing the rate to meet the expenses of the year, *Johnson*, 9463–78, 9479–81, 9498, 9499.

Power of committees over their expenditure, *Johnson*, 9481–3.

There is no special committee reviewing expenditure generally, *Johnson*, 9484, 9512.

An attempt was made for the finance committee to control all the expenditure, but it was not successful, *Johnson*, 9485–93, 9500–2.

The council pays the standard rate of wages, *Johnson*, 9489.

Procedure in case of new expenditure proposed by a committee, *Johnson*, 9493–7.

Pressure is brought to bear by the finance committee on any committee exceeding its authorised expenditure, *Johnson*, 9503.

Procedure in making payments, *Johnson*, 9504–17.

Anything a committee has to bring before the council is done by report, *Johnson*, 9518–20.

Procedure in the contemplation of an extraordinary work, *e.g.*, electric lighting, *Johnson*, 9521–38.

The meetings of the council are public, but of the committees are not, *Johnson*, 9539.

Councilmen may attend committees to which they do not belong on sufferance only, *Johnson*, 9540, 9541.

(iii.) *Officers:*

The Town Clerk, Functions of:

As professional adviser of the Corporation attends as many meetings as possible, conducts public prosecutions and actions, and is the chief official; has a deputy and two assistants sharing the committee work with him, *Johnson*, 9542, 9543.

NOTTINGHAM, THE BOROUGH OF—*cont.*

(iii.) *Functions of the Town Clerk*—cont.

The Local Government Act, 1888, made no difference in the organization of his office, *Johnson*, 9544.

The more important orders of committees go through the town clerk to their officers, but he does not on his own motion direct the high officers, *Johnson*, 9833–6, 9854–65.

The Town Clerk is consulted on important questions and has a right to speak in full council, *Johnson*, 9850–3, 9870–5.

Chief of Staff:

Superiority of a permanent chief of staff to a paid deputy chairman, *Johnson*, 9827–32, 9847–9.

The Borough Engineer:

Receives his orders from the committee, through the town clerk, and in urgent cases from the chairman, *Johnson*, 9545–8.

Engineer's staff, *Johnson*, 9549.

The Borough Accountant:

Keeps the accounts, &c. His office and that of the treasurer (now a banker) should be amalgamated, *Johnson*, 9549–53.

The Medical Officer of Health:

Works under and is appointed by the health committee, subject to the council, *Johnson*, 9554–70.

Has statutory duties and is independent of the council, *Johnson*, 9571–8.

Pensions to Officers:

There is no pension system. Employment of some kind is found till death or compensation is given on retirement, *Johnson*, 9579–91.

(iv.) *The Mayor:*

Has a considerable amount of municipal and charitable, &c., work to perform, is *ex officio* a member of all committees, but rarely attends. He spends from 1,000*l.* to 2000*l.* on entertaining, and has no salary, *Johnson*, 9729–34, 9789–801.

(v.) *The Sheriff:*

Election of. Presides in place of mayor at entertainments, &c., and has no salary. (The Corporation pays the under sheriff's bills of craving.) Spends from 500*l.* to 1000*l.* in entertainment, *Johnson*, 9729–34.

Abolition of the second sheriff in 1825, and proposed abolition of the remaining sheriff in 1874, fortunately not carried out, *Johnson*, 9760–2.

The shrievalty and the lord lieutenancy are the only relics of county jurisdiction, *Johnson*, 9735–40.

The borough is independent of the county, *Johnson*, 9741–5.

The lord lieutenant is *custos rotulorum*, and takes precedence of the high sheriff of the county, *Johnson*, 9746–9.

The borough quarter sessions grant new licences to public-houses, appeal from them to the county quarter sessions, *Johnson*, 9750–8.

(vi.) *The Freemen:*

There are still about 2,000 freemen having the parliamentary franchise, their privileges pass by descent or apprenticeship, *Johnson*, 9809–11.

The Corporation acquired their estates and compensation was given, *Johnson*, 9812–5.

There are unendowed almshouses confined to freemen, and other open endowed almshouses, *Johnson*, 9816–9.

(vii.) *Organization before* 1835:

Nottingham was governed by a Corporation elected by the freemen. There was a Mickletorn jury regulating nuisances, &c., *Johnson*, 9802–5.

There was a mayor, sheriffs, aldermen, and common councillors elected by the freemen, *Johnson*, 9805–8.

NUMBERING OF STREETS:

The duty now rests with the County Council. It should be transferred to the local authorities, *H. J. Smith*, 11,749–79, *Dewey*, 11,649–60, *Cohen*, 12,638–9.

Objections to such a transfer, *Dickinson*, 13,611. *Longstaff*, 13,737–44.

OFFENSIVE TRADES, LICENSES TO ESTABLISH GRANTED:

(*a.*) *In City:*

By Commissioners of Sewers, *Dickinson*, 1428, 1429.

(*b.*) *Outside City:*

By County Council, *Dickinson*, 1426, 1427, 1456.

Proposal that the duty should be transferred to the local authorities, *Harris*, 13,068–71; *Whale*, 12,340–8.

Objections to such a transfer, *Dickinson*, 13,513–4.

OFFICERS. *See* CORPORATION, 8. COUNTY COUNCIL, 1. (*a*). SEWERS, COMMISSIONERS OF, 2. MUNICIPAL BOROUGHS, 6. VESTRIES, &c., C. 2.

OLD BAILEY:

Sittings of Central Criminal Court at. *See* CENTRAL CRIMINAL COURT.

OPEN SPACES. *See* COMMONS AND OPEN SPACES.

OVERHEAD WIRES:

County Council has power to make byelaws to be enforced by local authorities and to act in default of local authorities outside City only, *Dickinson*, 1404–11; *Leete*, 13,219–56.

PADDINGTON:

Area, &c. of parish, *Costelloe*, 13,956–62.

Rating Authorities in, *Dickinson*, 1228.

PARISHES included in the several Poor Law Unions. *See Costelloe*, 13,956–85.

PARKS:

None in City, but City contributes to expenditure of County Council on, *Harrison*, 907.

List of parks under control of County County (C. C. Statement II., p. 30).

County Council has power under the General Open Spaces Act; is inserting provisions in General Powers Bill (1893) to purchase Hackney Marshes; open spaces expenses come out of county rate, to which City contributes, *Dickinson*, 1297, 1298; powers as to bands, &c., *Dickinson*, 1299, 1308.

PASSAGE, COURT OF, LIVERPOOL.

Constitution, &c. of, *Clare*, 10,372–93.

PAYNE, MR. WILLIAM, late Principal Clerk to the Chamberlain of London.

ANALYSIS OF EVIDENCE.

CHAMBERLAIN OF THE CITY, Office and Duties of:

The Chamberlain Acts as treasurer to and keeps the accounts of the Corporation, Commissioners of Sewers, Bridgemasters, &c., 6643–7. He is elected annually in Common Hall, 6648, 6649. Deed of covenant entered into once for all, 6650. He finds security for 60,000*l.*, 7062, 7063. Interest on balances in his hands applied to meet expenses of Town Clerk, Comptroller, Solicitor, &c., 6651–4, 6986–96.

ACCOUNTS:

How kept, 6655–9. Estimate of revenue and expenditure presented annually to Common Council, 6669–71. Publication and audit of accounts, 6671–85, 6700–6. Annual examination and custody of securities, 6686, 6708–10. Accuracy of accounts checked by Comptroller, who is appointed annually by the Common Council; his duties, 6687–97. Expenditure regulated by standing orders, 6698, 6699.

CRITICISMS UPON MR. GOMME'S STATEMENT AND EVIDENCE ON ACCOUNTS OF 1889–92.

(i.) *Results of Transactions on Balances:*

The deficiency of 74,002*l.* brought out by Mr. Gomme as met by reduction of balances (38,206*l.*), transfers from reserve fund (28,821*l.*), and sales of property (6,985*l.*), should be put at 38,206*l.* only, as the two latter items represented actual receipts in the years, 6712–65, 7022.

(ii.) *Optional Expenditure:*

Expenditure on schools, almshouses, library, museum and art gallery, pensions, and donations, is described as optional by Mr. Gomme, but is really much less so than *e.g.* expenditure on erection of Billingsgate Buildings, on technical education,

PAYNE, Mr. WILLIAM, Evidence of—*cont.*

equipment of volunteers, increase of pay of police, gas and water inquiries, repayment of the Holborn Valley debt, &c., the total of which amounted in the four years to 206,446*l.*, 6712–25, 6766–71.

(iii.) *Plan of Analysis:*

So far as it rests on the assumption that in the event of an amalgamation of the City and County of London, all the funds of the City could be consolidated, the plan is misleading, as the trust funds could not be so dealt with, for though the Corporation is liable to make good any deficiencies on them, it cannot appropriate any surpluses, 6772–83. It is quite misleading to say that the surplus revenue from the markets was spent on donations, general establishment expenses, and optional purposes, as schools, library, &c., 6833–54; it really goes into the general estates and revenues of the Corporation, 6985. No general ledger account of all the separate funds is kept, 6784–90. The accounts are not unnecessarily complex, 6802–9. The sewers and police rates are quite distinct, 6854. Mr. Gomme's account of exceptional expenditure is generally correct, 6791–801. The financial transactions of the City in 1892, including loans, represented altogether an aggregate of 5,700,000*l.*, as compared with an aggregate turnover of 11,500,000*l.* by the County Council, 6809–29.

(iv.) *Financial effect of Amalgamation:*

Debt on Markets, repayment of:

On the assumption that the whole of the surplus market revenues would be applied to reduce the market debt (now 2,587,000*l.*), Mr. Gomme has calculated that in the event of amalgamation, the county rate in the City would have to be increased by $2\frac{3}{10}d.$ in the £. This assumption is unwarranted. The Corporation has since 1854 spent 30,000*l.* more on the management of the markets, including interest on debt, than the receipts have amounted to, and Parliament has recognised that it is under no obligation to repay that debt within any specified time, 6830–926, 7006–12. The Corporation always reinvests in real estate any money derived from the sale of property. But it can sell and borrow without limit, 6916–21, 6976–84.

Repayment of other loans outstanding:

	£
Provision made for repayment of Royal Exchange Rebuilding Loan (Gresham Estates)	67,200
Tower Bridge (Bridge House Estates)	1,060,000
Artizans' Dwellings 3 per cent. (Consolidated Rates)	218,500
Artizans' Dwellings 3½ per cent. (Consolidated Rate)	153,000
Foreign Cattle Market	76,000
	£1,574,700

6922–8.

Other loans outstanding:

Holborn Valley Improvement Loan, 482,000*l.*, less about 82,000*l.* to be realised by the disposal of rentals, &c., leaving an ultimate charge of 400,000*l.* on the general estates, 6927–9.

City of London Grain Duty Loan, 219,000*l.* (for open spaces, &c.). The proceeds of the duty fell off by 7,000*l.* per annum in 1884, as the trade refused to pay duty except on grain brought into the port exclusively for sale; so the Corporation appropriated as a sinking fund to the loan the proceeds of the commutation of fines for renewals of leases on the Conduit Mead Estate, 6929–31, 6985, 7040–4.

Pauper Lunatic Asylum Loan, 8,000*l.* This will be paid off out of general revenues as the bonds fall due, 6931.

There is no account published of the aggregate assets and liabilities actual and contingent of the Corporation, but one could easily be prepared. The Corporation could pay its creditors 40*s.* in the £, 6932–75, 7060–70. Criticism as regards disposal of surplus profits from markets, City of London Court, and interest on balances in the Chamberlain's hands, investments from grain duty sinking fund, provision to meet future exceptional expenditure, and estates and funds at the disposal of the Corporation, 6985–96.

Reserve Fund:

History of formation of, and operations on; now nearly exhausted, mainly by contributions towards the cost of part of the Clerkenwell Improvement outside the City, which was commenced by commissioners unconnected with the Corporation, but taken over and completed ultimately by the Corporation at a cost to them of 125,000*l.*, 6997–7006.

Cash account for 10 years' distinguishing capital from revenue receipts and expenditure, is annually issued by the Corporation, 7012–22. This shows in the four years a deficiency of 38,206*l.* instead of 74,002*l.*, as shown by Mr. Gomme (*see* 6712–65), but over 40,000*l.* has been spent in the period on repayment of debt on capital expenditure, 7022–31. The Corporation has land unlet on the Victoria Embankment worth 12,000*l.* a year, 7031, 7000.

Sources of Revenue lost by the Corporation since 1856:

	£	
1856. Street tolls	5,500	a year.
1860. Coal dues	73,900	,,
1872. Corn metage	15,600	,,
1884. Brokers' rents	10,000	,,
Total	£105,000	,,

7032–6.

Expenditure out of the Corporate Revenues on Metropolitan Improvements since 1850:

This amounts to 781,250*l.*, of which 619,750*l.* may be regarded as unremunerative, and 161,500*l.* as remunerative expenditure. In the same period 251,130*l.* was spent on entertaining royal and other personages, receptions, grants to exhibitions, &c., 7036–9. Charges, *e.g.* of maintaining hydrants, transferred from funds of Corporation to those of Commissioners of Sewers; by arrangement only; no right of making such transfers claimed by former, 7045–7, 7059. There would be no difficulty in levying a county rate in the City, if required, to meet expenses of magistrates, mayoralty, coroner, administration of justice, maintenance of sessions house, and public libraries, now amounting to 57,000*l.* a year, 7048–52. Correction as regards officers' salaries, 7053–8.

PEDLAR'S ACRE:

In Lambeth; rental of applied to charitable purposes, *H. J. Smith*, 11,705–10.

PENGE, HAMLET OF:

In union of Croydon and county of Surrey, but also included in administrative county of London; County Council makes assessment for county rate, *Dickinson*, 1004, 1178, 1228, 8637–40, 13,633–4; *Costelloe*, 13,956–62, 13,985; *Kemp*, 5708–9; *Tagg*, 10,700–4: rating authorities in, *Dickinson*, 1228.

PETER THE HERMIT (of Colechurch):

Money raised by preaching of, for building of London Bridge, *Gomme*, 3933–7; *Kemp*, 5207–8.

PETER MORRYS:

London Bridge Waterworks established by, *Kemp*, 5676–82.

PETROLEUM ACTS:

Local authorities under:

In City:

Common Council; the Commissioners of Sewers being the rating authority, *Rotton*, 364–71.

County Council, *Rotton*, 364–71.

Outside City:

The administration of the Act should be transferred to the local authorities, *Harris*, 13,068–71; *H. J. Smith*, 11,747–79; *Tagg*, 10,759; *Whale*, 13,140–8; but they should work under byelaws framed by the central authority, *J. E. Smith*, 12,267–81.

Objections to such a transfer, *Dickinson*, 13,507–9.

PLUMSTEAD, Parish of:

Recent separation of from Lee, for local government purposes, *Dickinson*, 13,652–9; *Costelloe*, 13,985; *Bonthron*, 13,380; *Whale*, 12,282–99. 12,318–23.

Area, &c. of, *Costelloe*, 13,985; *Whale*, 12,287–96; 12,318–37.

PLUMSTEAD:

Land at, acquired by the County Council under the Small Holdings Act, *Dickinson*, 1339–43.

POLICE:

(1.) *In City (City Police)*:

Under control of Commissioner appointed by Common Council with approval of Secretary of State, Lord Mayor and Court of Aldermen, *Rotton*, 92; *Monckton*, 2587–605; commissioner removable for misconduct by Secretary of State or Court of Aldermen, *Rotton*, 92–8, 151–152; *Kemp*, 4630–3, 4842–8; his powers and duties, under ultimate control of Committee of Court of Aldermen, *Rotton*, 99, 105; *Kemp*, 4630–3, 4842–80; *Monckton*, 2578–87; he is to a great extent independent; acts on his own responsibility more as chief constable in a county than in a borough, *Rotton*, 137, 143–53.

Certain public bodies in City may, with Court of Aldermen's sanction, admit certain of their officials to be special constables, *Monckton*, 2575–7.

Committee of Common Council deals with general equipment of police force and finance, *Rotton*, 150; *Monckton*, 2578–87; *Kemp*, 4842, 4849–56.

Expense met, one-fourth by Corporation, three-fourths by police rate, levied on wards with ward rate to meet ward expenses, *Rotton*, 106–11; *Kemp*, 4881–98; *Monckton*, 2775–94.

Proposals of County Council as regards City Police, in the event of an amalgamation of the City and County of London, *Harrison*, 9134–52.

Possibility of combining City and Metropolitan forces under joint control of County Council and Corporation, *Rotton*, 141, 142; financial effect of such combination, *Gomme*, 4291–363.

(2.) *Outside City (Metropolitan Police)*:

(i.) *Generally.*

(a.) *Control*:

Governing Act, 2 & 3 Vict. c. 94, *Bradford*, 10,905–6.

The Metropolitan Police force is slightly older than the City Police, *Bradford*, 10,870–1. It is under the control of the Commissioners, subject to and appointed by the Secretary of State, *Rotton*, 121–2; *Bradford*, 10,872–83. Details of administration are left to the Commissioners, but pensions rest with the Home Secretary, *Bradford*, 10,879–87. Increase of force rests with the Home Secretary, *Bradford*, 10,888–90.

(b.) *Finance*:

The expenses of the force are defrayed, five-ninths out of the rates and four-ninths out of Imperial funds; finance managed by the Receiver under the Home Secretary, *Bradford*. 10,891–904, 11,071–904. (*See also Rotton*, 154–67.)

Rate levied as part of poor rate on precept of Receiver; proceeds together with Treasury subvention paid direct to him without passing through county fund, *Rotton*. 168, 169; nearly four-fifths of rates of entire police district paid in administrative county of London (608,000*l*. out of 775,000*l*.), *Rotton*, 130–2.

Area of Control:

The Metropolitan Police District contains 700 square miles, *Bradford*, 10,964–5; it includes any place or parish entirely within 12 miles, or of which part is within radius of 15 miles, from Charing Cross, *Rotton*, 122–35; *Dickinson*, 1142–5.

POLICE—*cont.*

The police administration is unaffected by political considerations, *Bradford*, 11,058–60. Relations with the County Council are quite satisfactory, *Bradford*, 11,061–3. Communications between the Metropolitan and local forces, *Bradford*, 11,072–7.

(ii.) (*In the adjacent counties of Essex, &c.*):

The relations with the police of adjacent counties are good, *Bradford*, 1094–5.

A very large area is inconvenient, but the present area should not be contracted, *Bradford*, 10,966–73, 10,985–8.

Suburban area in south-west of Essex under the control of the Metropolitan Police, *Johnston*, 8252–9. Suggestion that this area should be constituted a separate administrative county, *Johnston*, 8260–3, its police either remaining as at present (under the Metropolitan Commission and Home Secretary) or under the management of the county; rapid increase of population within this area as compared with that without, *Johnston*, 8264, 8269–71. If the new county were formed it might arrange with West Ham for a united police force, *Johnston*, 8268–8, controlled by a joint committee, *Johnston*, 8304–9. The existing limits and jurisdiction of the Metropolitan police might be retained, and its control transferred to a joint committee of the authorities concerned, *Johnston*, 8316–9. The withdrawal of these districts from the Metropolitan Police control would not be approved of, *Bradford*, 10,967–81. The question of separate police for the boroughs, of Croydon, Richmond, West Ham, etc., has not been suggested, *Bradford*, 10,983–4. Convenience of uniting West Ham (for police purposes) with either London or the proposed new county, *Johnston*, 8293–4, 8300–3. There is no real discontent with the control of the police in the proposed new county district, *Johnston*, 8310–5. Position of West Ham as a county borough without the control of its police, *Johnston*, 8272–8. Population of West Ham and of the proposed new county; the latter is more rapidly increasing, *Johnston*, 8295–9. If the proposed change is not effected there will probably be a demand for new separate municipalities in the district, *Johnston*, 8279–91. It would be preferable to make separate administrative counties of the suburban portions of the several counties, or leave things as they are, *Johnston*, 8320–6, and the formation of these counties would meet the existing difficulties of magisterial jurisdiction, *Johnston*, 8327–9. The suggestion of creating these administrative counties is made only in the event of the London police being controlled by local authorities, *Johnston*, 8380.

(3.) *Comparison of the City and Metropolitan Police Forces*:

The duties of the two forces are almost identical, but those of the Metropolitan force are more severe; its numbers are proportionately fewer, *Bradford*, 10,907–8. Co-operation of the Commissioners of both forces, *Bradford*, 10,909–13. Either force may work within the other's jurisdiction; there has been no friction between the two, *Bradford*, 10,922–3. The Metropolitan force performs special duties in places other than London (in foreign ports, dockyards, etc.). Importance of these duties, *Bradford*, 10,924–70. The area of the Metropolitan Police control is 700 square miles, and of the City Police 650 acres, *Bradford*, 10,964–5. The Metropolitan Police is arranged according to population, being denser near the City; the City Police is very dense, but (if amalgamated) could be reduced, *Bradford*, 10,985–11,000, 11,023. The scale of pensions, pay, and superintending staff is greater in the City, *Bradford*, 11,001–18. There is no preference between the two forces; the standard of height is greater in the City, *Bradford*, 11,024–35.

POLICE, COMMISSIONERS OF:

1. *In City:*

(i.) *Appointment, &c.:*

The Commissioner of City Police is appointed by Common Council with approval of Secretary of State, and removable for misconduct by Secretary of State or Court of Aldermen with his approval, *Rotton*, 92–8, 151, 152; *Monckton*, 2587–605; *Kemp*, 4630–3, 4842.

(ii.) *Powers and Duties of:*

The Commissioner has the general control of City Police Force, a Committee of Common Council dealing with questions of equipment and finance, *Rotton*, 92, 150; *Monckton*, 2578–87; *Kemp*, 4842, 4849–56.

On petition from the Courts of Aldermen and Common Council he may be appointed a Justice of the City, by the Crown, as long as he holds office, *Kemp*, 4842–8.

He appoints constables and has power to regulate traffic, *Kemp*, 4856–80.

2. *Outside City:*

(i.) *Appointment, &c.:*

The Commissioner of Metropolitan Police and his assistants are appointed by the Secretary of State, and are removable by him for misconduct, *Rotton*, 121, 122.

(ii.) *Powers and Duties of:*

(*a.*) General control of Metropolitan Police Force under ultimate authority of Secretary of State, *Rotton*, 121–35.

(*b.*) Licensing and control of hackney and stage carriages and their drivers, and fixing of their stands throughout whole metropolis, the latter in the city with approval of Court of Aldermen, *Rotton*, 394–404.

(*c.*) Common lodging-houses outside city, inspection and control of, *Rotton*, 280.

POLICE COURTS:

(1.) *In City:*

The Courts are at the Guildhall and Mansion House, the Lord Mayor, or in his absence an Alderman who has passed the chair, presides at the latter, and the Aldermen in rota at the former, both having powers of a stipendiary magistrate, *Rotton*, 112–8, *Evans*, 2053–7, *Monckton*, 2704–7, *Douglas*, 7634–5, *Fulton*, 7498–7500; *Kemp*, 6111–4, 6028–41; *Savill*, 7692, 7693.

For some purposes two aldermen are necessary, *Rotton*, 119–20, *but see Kemp*, 6111–4.

Cases go to the Mansion House and Guildhall, according to the locality in which they originate, but there is also a difference in the business of the two courts, some classes of cases going to one and some to the other; at the latter the magistrate is resident, *Evans*, 2058; *Monckton*, 2682–6; *Savill*, 7692–3: *Douglas*, 7639; *Kemp*, 6111–4.

Salary of Mansion House Justice's Clerk, *Monckton*, 2690–2.

Concurrent powers with Chamberlain's Court as regards control over masters and apprentices, *see* CITY OF LONDON, 5.

(2.) *Outside City:*

Buildings provided and maintained by Commissioners of Works out of votes of Parliament, *Rotton*, 170–2, 177, 178.

Salaries of Magistrates and Staff:

(Not to exceed 27 in number) charged on Consolidated Fund; officers paid out of vote of Parliament, *Rotton*, 173–81; *Kemp*, 5988–6037.

Jurisdiction of Courts:

Does not cover whole police area, *Rotton*, 171; *Kemp*, 5988–6037.

(3.) *Comparison of the City Justice Rooms with Metropolitan Police Courts:*

(*a.*) *Character of Work:*

The cases in the City are, as a rule, of a heavier and higher class, being commercial rather than police charges, *Douglas*, 7636–7, *Savill*, 7695–702.

Many more solicitors and counsel appear in the City, *Douglas*, 7637–8.

Division and separation of different classes of work in City, *Douglas*, 7639, *Savill*, 7703–5.

POLICE COURTS—*cont.*

Superiority of Aldermen as magistrates over stipendiaries in hearing commercial cases, *Savill*, 7709–14; *Evans*, 2064–7.

Professional aid given to prosecutors (Police or others), in cases of public interest, in City at the Corporation's expense, *Savill*, 7715–7.

(*b.*) *Cost of Magisterial and Clerical Staff:*

Cost at Mansion House and at Metropolitan Courts; deducting the Magistrates' salaries at the latter, the City courts cost more, *Douglas*, 7640–3.

(*c.*) *Amount of work:*

As compared with Worship Street the work at the Mansion House seems less, a fairer comparison could be made with Bow Street, *Douglas*, 7650–7.

Police summonses are not included in the figures of Guildhall cases, *Savill*, 7703–5.

(*d.*) *Punctuality:*

The City Courts are more punctual in beginning, *Douglas*, 7675–81.

POLLARD, MR. ARTHUR TEMPEST, M.A., Head Master of the City of London School.

ANALYSIS OF EVIDENCE.

Election:

Witness succeeded Dr. Abbott as Head Master of the City of London School in 1889. Was elected by the Common Council out of three candidates chosen by a selection committee consisting of three professors from University College and three from King's College, London, 7211–7.

THE CITY OF LONDON SCHOOL.

Fees:

The present fees of 12*l.* 12*s.* and 15*l.* 15*s.* could not well be raised, as Mr. Gomme suggests, so as to make the school self-supporting, for—

1. In most cases the pupils live out of London, and have to pay railway or tram fares as well, say 20*l.* a year in all.
2. Their parents could not, as a rule, afford to pay more, and the school would go down in numbers (as has been the case at University College and King's College schools), owing to the competition of cheaper schools.
3. The absence of playing fields prevents the children of richer parents coming.
4. The fees are already as high as, or higher than, those charged in provincial high schools, 7218–25, 7235.

Salaries:

The Head Master's salary is 1,000*l.* now, but it will be raised in the ordinary course as time goes on. This is below the amount usual at similar schools, 7226–9. The cost of salaries is now below the average, as so many masters have only been recently appointed. There is a pension fund to which the masters contribute, 7229–33.

Management:

The school is managed by a Standing Ward Committee of six aldermen and 29 common councilmen, one of the latter being always chairman. An alderman has been made president, as he could not be chairman, 7236–8.

Finance:

The school costs the Corporation over 5,000*l.* a year in excess of the fees, and the Corporation has spent money freely lately in equipping scientific laboratories, &c. The school gets no grant from the County Council, 7238, 7239, 7244–50.

Curriculum:

There is a classical and modern side, the numbers on the latter predominating. Some old pupils have distinguished themselves very highly as classical scholars at the universities, to which about six go annually, as a rule with scholarships from the school, but most go into business at about 16 or 17, 7238–42, 7252–9. About six boys holding School Board scholarships come to the school annually; as a rule there are about 20 of them there. One (Mr. Barker) was senior classic, 7241–3.

POLLUTION OF RIVERS:
London County Council, like every county council has power to make byelaws. Thames and Lee Conservancies also have power, *Dickinson*, 1027–9, 1448–51.

POOR LAW UNIONS:
(i.) These form the best basis, on the whole, for re-adjustment of local government areas, *Dickinson*, 13,630–9; *Costelloe*, 13,969–74.
(ii.) Existing unions, *Costelloe*, 13,956–85.
(iii.) Rating authorities in the several, *Dickinson*, 1228.

POPLAR:
Land acquired at, by County Council, under the Small Holdings Act, *Dickinson*, 1339–43.

POPLAR UNION:
Parishes included in, *Costelloe*, 13,977–8.
Rating authorities in, *Dickinson*, 1228.

PORT SANITARY AUTHORITY:
The Corporation is the sanitary authority for the port of London, *Rotton*, 199–203; *Bridgman*, 1669, 1910.
This duty should be transferred to the new Corporation, *Harrison*, 8853; *Antrobus*, 13,036, 13,037; *Harris*, 13,143; *but see Cohen*, 12,786–8.

PREVENTION OF CRUELTY TO CHILDREN:
The County Council makes byelaws respecting, *Dickinson*, 1456; *Leete*, 13,329–32.

PREVENTION OF FLOODS. *See* FLOODS, PREVENTION OF.

PRITCHARD, MR. ANDREW GORING, Secretary to the Municipal Corporations Association.

ANALYSIS OF EVIDENCE.

[Witness cannot express the opinion of his association, but his own personal experience and views, 12,004–12.]

1. *Election of Councillors:*
Witness prefers the annual election of one-third of a council to the triennial election of the whole; the former is prescribed by the Municipal Corporations Act, and has worked well for 50 years. It is a check on too violent oscillations of policy, and helps to educate new members to their work by their mixing with older councillors. It also averts the tendency to starve the service in the last year of office. This is more important with an administrative than a legislative body, 12,013–20. Witness would not recommend partial election for the House of Commons, though it obtains in both branches of the Federal Legislature of the United States, 12,045–9. It is, however, somewhat more expensive, and occasionally leads to inconvenience in adjusting the number of councillors to the wards, by obliging them to be in multiples of three, 12,020. Witness has heard of no demand for a change on the part of the corporations or their electorate, 12,021–6. The municipal system was not applied to county councils under the Act of 1888, mainly on the ground of expense, 12,026–30; and to the greater comparative trouble involved in an election over so much larger areas, combined with the unimportance of the issues involved, 12,053–8. Election of vestries in London, guardians of the poor, local boards, and school boards, 12,030–4, 12,058–66. Triennial election of the whole body may create a greater popular interest in the matter, but continuity of voting and action is of more importance, 12,035–8. There is quite enough interest taken, as a rule, in the annual elections of one-third of the municipal councillors; most of them are now conducted on political party lines. Vestry elections in London do not excite much interest, as a rule, but there will probably be a change in this respect under the Act of 1894, 12,039–44. A burning question at one year's election may have disappeared by the next, and new questions may arise every year. The electorate can quite effectively impress its will in stages, 12,050–2. The cumulative vote secures a good deal of permanence in the constitution of a body, 12,066–8.

PRITCHARD, MR. ANDREW GORING—*cont.*

2. *Election of Aldermen:*
Witness thinks that aldermen should be elected by the councillors only, as on county councils, not, as in municipal corporations, by aldermen as well as councillors, which enables a party to keep itself in office against the opinion of a majority of the electors, as at Liverpool, Leeds, and Exeter, 12,069–83. They should not all retire at once, 12,084–5. Witness has a high opinion of the value of aldermen on the council, as it secures the services of men who will not undergo the trouble and annoyance of a popular election, though, as a rule, only ex-councillors are made aldermen, 12,084–103.

3. *Chief of the Staff:*
Witness thinks that the chief of the staff should be a permanent official, not a paid member. This secures greater independence and a better selection of men for the staff generally, as well as for its chief; it also avoids any suspicion of jobbery, and secures historical treatment of affairs according to precedents, &c., 12,104–11. In Scotland the town clerk holds a freehold office, and cannot be dismissed by the town council, and in England dismissals are almost unknown, 12,113–5. There is occasionally jealousy of the permanent staff on the part of the members of the council, 12,116–7. Witness does not think that the system of a political head with a powerful permanent chief under him is well suited for a municipality however well it may do for a Government department, 12,118–22. To get a good permanent man the salary must be very good if there is a paid member over him, 12,123–8.

4. *Committees:*
Small committees work better than big ones, 12,129.

PROPORTIONAL REPRESENTATION:
Advantages of, *Pritchard*, 12,006–8; *Johnson*, 9313–5.

PROTECTION OF CHILDREN. *See* INFANT LIFE PROTECTION AND PREVENTION OF CRUELTY TO CHILDREN.

PUBLIC LIBRARIES:
1. *In City:*
The Common Council is the authority, *Rotton*, 418–20. Separate parishes cannot adopt Act, *Rotton*, 423. Expenses may be met by rate (no limit), but none is levied, the Guildhall Library being supported out of corporate funds, *Rotton*, 424–30.

2. *Outside City:*
Act may be adopted by a parish or a district with a board, commissioners being appointed by vestry or district board to carry it into execution, *Rotton*, 431–3; *Dewey*, 11,408–12; separate rate levied by vestry (*Rates*, 2, v.); borrowing powers (*Borrowing Powers*, *b.*, iv.). The functions of library commissioners should be transferred to the vestries (or district councils), *Bonthron*, 13,352–61; 13,400–1; *Boulnois*, 12,575–8; *Harris*, 13,068–71; *Holland*, 11,912–20; *Leete*, 10,559; *Robinson*, 11,816–20; *J. E. Smith*, 12,235–44; 12,267,–81; *Tagg*, 10,726, 34; 10,808–11.

QUALIFICATIONS of electors and candidates for different public offices, &c. in London.
See TABLE B. at end of Index.

QUARTER SESSIONS. *See* JUSTICES IN QUARTER SESSIONS.

RACECOURSES:
The London County Council has power to make byelaws and has duties inherited from the magistrates. There are now no racecourses within the area, (10 miles from Charing Cross), *Dickinson*, 1419–25.

RATES:
1. ASSESSMENT.
2. LEVYING AND COLLECTION.
3. EQUALISATION OF.

1. ASSESSMENT:
Under Valuation of Property (Metropolis) Act, 1869, a quinquennial revaluation is made of whole metropolis, subject to alteration by

RATES—*cont.*

supplementary and provisional lists, *Rotton*, 646–7. Values in each poor law union or parish, if so provided in local Act, assessed by overseers, or vestries, &c., exercising the powers of overseers, appeal to assessment committee of union or vestry of parish with rating powers and to justices in quarter sessions, *Rotton*, 648–57; *Dewey*, 11,408. In City appeals two aldermen may always attend sessions, *Rotton*, 659.

The powers of overseers might be entrusted to the local authorities, *Bonthron*, 13,352–61, 13,400; *Boulnois*, 12–575–8; *Harris*, 13,068–71; *Holland*, 11,912–20; *Leete*, 10,559; *Tagg*, 10,726–34, 10,808–11; *Robinson*, 11,816–20, *J. E. Smith*, 12,235–44; 12,267–81.

Comments on this proposal. The central body must have some control so as to secure uniformity of assessment, *Dickinson*, 13,629.

2. Mode of Levying:

(*a.*) *In City:*

(i.) *Consolidated Rate and Sewers Rate* levied under direction of Commissioners of Sewers by alderman or deputy and major part of common councilmen of each ward meeting for that purpose, *Rotton*, 659–63. Their action purely ministerial, except as regards expenses of collection, *Rotton*, 664–7. Occupiers rated, except where house value is under 25*l.*, or when rent is payable oftener than quarterly; empty houses pay half rate; for churches (except St. Paul's Cathedral), public buildings, prisons, hospitals, &c., and vacant spaces, rate not exceeding 3*d.* per square yard paid by owners, or overseers in respect of parish churches or graveyards, by City Chamberlain in respect of unowned ground, *Rotton*, 668–92.

(ii.) *County Rate* levied and collected with consolidated rate, *Rotton*, 709.

There would be no difficulty in levying a county rate in the City, if required, to meet expenses of magistrates, mayoralty, coroner, administration of justice, &c., *Payne*, 7048–52.

(iii.) *Police Rate* levied by Corporation together with ward rate to meet ward expenses; public buildings, &c. pay 2*d.* instead of 3*d.* a yard; rate limited to 8*d.* in the £ to cover three-fourths of police expenditure; other fourth paid by Corporation from its own revenues; whole 8*d.* not raised, *Rotton*, 696–704; *Monckton*, 2775–94; *Kemp*, 4881–98.

(iv.) *School Board Rate* collected with consolidated rate, *Rotton*, 713–9, *Dickinson*, 1243, 1244.

(v.) *Sewers Rate.* See *Consolidated Rate.*

(*b.*) *Outside City:*

(i.) *Baths and Wash-houses Rate* levied and collected by overseers (vestries) with poor rate, *Rotton*, 720–2.

(ii.) *County (Council) Rate* generally levied through guardians by overseers, vestries, or other bodies with poor rate, not levied separately, *Rotton*, 705–12. Precept addressed to Treasurers of Temple and Gray's and Lincoln's Inns, *Dickinson*, 1228–31. If for general county purposes, City contributes; if for special, City does not, *Rotton*, 709. Being now collected as poor rate it is subject to no deduction by landlord, as it formerly was when levied as sewers rate, *Dickinson*, 1236, 1237; *Harrison*, 1238–42. Expenses with regard to parks and bands met by general county rate, *Dickinson*, 1308.

(iii.) *Poor Rate* levied through overseers, *Rotton*, 713–32; *Dickinson*, 1228.

(iv.) *Police Rate* levied and collected by overseers (vestries) with poor rate, *Rotton*, 720–2.

(v.) *Public Libraries Rate* levied and collected with poor rate, not as part of it; different allowances made, *Rotton*, 729.

(vi.) *School Board Rate* levied and collected by vestries and district boards through overseers with poor rate, *Rotton*, 713–9; *Dickinson*, 1243, 1244.

RATES—*cont.*

(vii.) *Sewers, Lighting, and General Rates, including Sanitary Rates of Vestries and District Boards*, levied like poor rate, but separately. Different allowances as regards arable and other open lands, public buildings, &c. Rates vary in different parishes, *Rotton*, 729–32.

Table showing the local authorities in London through and by whom the Council's levy of the county rate is collected, *Dickinson*, 1228.

3. Equalisation of Rates:

Proposals for, *Dickinson*, 13,617–29.

Conferences at Camberwell and Clerkenwell as regards, *Tagg*, 10,829–39, 10,843–4; *Dewey*, 11,547–51.

Equalisation might lead to extravagance, *Tagg*, 10,845, but this might be obviated by having a central and a local rate, *Tagg*, 10,846–8.

West Ham should be included in any scheme for the equalisation of rates, *Angell*, 11,310–53.

RATING AUTHORITIES:

1. *County Council.*—Issues precepts to guardians who make order on overseers, or persons, or bodies exercising the powers of overseers, *Dickinson*, 1228.

2. *School Board.*—Issues precepts to Commissioners of Sewers. Vestries, and District Boards, Masters of the Bench, and other authorities in extra-parochial places, *Rotton*, 713–9; *Dickinson*, 1243, 1244.

3. *Metropolitan Police.*—Commissioner, with approbation of Secretary of State, issues warrants to overseers who pay to account of Receiver at Bank of England, *Rotton*, 720–2.

4. *Metropolitan Asylums Board.*—Gives notice in writing to guardians, who make orders on overseers.

5. *Vestries and District Boards.*—Make orders upon overseers, *Rotton*, 729–32.

6. *Guardians and other Poor Law Authorities.*—Make orders upon overseers, *Rotton*, 713–32; *Dickinson*, 1228.

7. *Overseers and other Parish Authorities.*—Include in poor rate all sums they are required by any statutory authority to levy, *Rotton*, 729–32; *Dickinson*, 1228.

8. *Commissioners of Sewers.*—Make order upon alderman, or his deputy, over the major part of the Common Councilmen of each ward to rate the property in the ward, and the rates are collected by the collectors of the Commissioners, *Rotton*, 659–719; *Dickinson*, 1243, 1244. [The Commissioners are the rating authority in the City, under the Contagious Diseases (Animals), Explosives, Infant Life Protection and Petroleum Acts, administered by the Common Council, *Harrison*, 855; *Rotton*, 364–71; *Dickinson*, 1332–4, 1340, 13,506–9, 13,514; *Kemp*, 5035.]

9. *Corporation of City.*—Makes order upon alderman or his deputy, and the major part of the Common Councilmen of each ward, to rate the property in the ward for the purpose of the Police Rate, and this rate together with the ward rate is collected by the beadles of the wards, or other persons appointed by the Corporation, *Rotton*, 696–704.

RECORDER OF LONDON, THE:

Election of, by Court of Aldermen, with consent of Crown as to exercise of judicial functions, *Hall*, 7357–61; *Kemp*, 4624–9, 4770–2; *Monckton*, 2684, 2685.

Functions—

(*a.*) *Judicial:*

The Recorder presides over the Mayor's Court and the Court of Hustings as the Senior Law Officer of the Corporation, representing the Lord Mayor and Aldermen, *Hall*, 7364, 7365; *Kemp*, 4728; *Cohen*, 12,884.

(*b.*) *Certifying Customs:*

The Recorder testifies orally as to the customs of the City; procedure, *Hall*, 7365–72. His certificate is final, *Hall*, 7376–80. The last instance of exercising this privilege (as to Foreign Attachment), *Hall*, 7273–84, 7285. (The custom of Market Overt has never been disputed, *Hall*, 7374, 7375.)

RECORDER OF LONDON, THE—*cont.*

(c.) *As legal adviser to the Corporation:*
The Recorder gives his opinion in the Courts of Aldermen and Common Council on cases drawn up by the solicitor, *Hall*, 7417–34. He would get no fees for such advice and probably not for appearing as counsel for the Corporation, *Hall*, 7435–42.

REFORMATORY SCHOOLS. *See* INDUSTRIAL AND REFORMATORY SCHOOLS.

REGENT STREET:
Made by Crown Commissioners. It stands still in a peculiar position, *Rotton*, 308; *Kemp*, 5701; *Dickinson*, 1155; *Bonthron*, 13,442.

REGISTRATION:
Authorities for—
(i.) *Of Births, Deaths, and Marriages.*
See Table (A.) of Authorities, at end of Index, *and* Vestries, &c., C. 2 (*b.*).
(ii.) *Of Voters.*
See Table (A.) of Authorities, at end of Index, *and* Vestries, &c., C. 2 (*b.*).
Proposed transfer of these functions to the local authorities.
See VESTRIES, C. 2 (*b.*)

REGULATION OF TRADE:
(*a.*) *By the Corporation:*
In City the Corporation has still a right of compulsory metage of fruit and edible roots, now exercised only voluntarily. The old right, under Charter, of compulsory metage on grain was made voluntary by Act of 1872, *Kemp*, 4890–910.
(*b.*) *By the Commissioners of Sewers:*
Their officers inspect the meat at the Central Meat Market, *Kemp*, 5035.
(*c.*) *By the Companies:*
Inspection of fish at Billingsgate Market and the central markets carried out by the Fishmongers' Company, *Kemp*, 5027–35.
(*d.*) *By the Imperial Government:*
Inspectors of the Board of Agriculture inspect the cattle markets, *Kemp*, 5035.

REMEMBRANCER OF THE CITY OF LONDON:
The Remembrancer watches Bills in Parliament on behalf of the Corporation and the Commissioners of Sewers, and conducts their parliamentary business generally, *Bridgman*, 1805–18; *Monckton*, 6522–5; *Cohen*, 12,884.

RENWICK, Mr. GEORGE ROBERT, Secretary of the City of London School:
Evidence of. *See under* POLLARD, Mr. ARTHUR TEMPEST.

RIVERS, POLLUTION OF. *See* POLLUTION OF RIVERS.

ROADS. *See* MAIN ROADS AND HIGHWAYS OTHER THAN MAIN ROADS.

ROBINSON, Mr. HUGH MANSFIELD, LL.D., Solicitor and Clerk to the Vestry of St. Leonard, Shoreditch.

Analysis of Evidence.

The Vestry of Shoreditch contains 120 members; the number is needlessly large. The parish contains 124,000 people, and has a rateable value of 682,000*l.* 11,789–96. The day population is very much larger, numbers of artizans, mostly cabinet makers, working in Shoreditch but living at Walthamstow, 11,802–5. The Vestry meets twice a month, in the evening. There are 13 committees, meeting either weekly or fortnightly in the morning, afternoon, or evening, 11,797–801.

The Vestry has already very considerable powers, collecting all the rates, appointing the overseers, charity trustees, assessment committee, commissioners of baths, wash-houses, and libraries, burial board, &c. It is the undertaker for electric lighting under a Provisional Order, and has a large scheme for working an electric lighting station by the destruction of dust alone, 11,806, 11,807, 11,856–65. It carries on a technical school in conjunction with the committee of the County Council, and has established a labour bureau. It recently held an exhibition of furniture, 11,806, 11,807, 11,835–41. The area of the parish, 640 acres, is convenient, but the Vestry is too large, 11,807–10, and its procedure is cumbrous, as all the work done by the committees has to be reported to and confirmed by the Vestry, 11,811–5. Its powers might be increased, *e.g.*, by giving the powers now exercised by the Burial Board and the Baths and Library Commissioners to committees of the Vestry, and giving it also full powers under Michael Angelo Taylor's Act, and the control of the district surveyors. The Building Acts need amendment so as to require all plans to be sent to the sanitary authority as such, and to enable the building of unsuitable structures in small areas to be prevented. At present plans of new buildings go to the Vestry as regards drainage, and to the County Council to see if they comply with the requirements of the Building Acts. If they do, nothing can be done to stop them, though as soon as they are built they may be condemned as obstructive buildings, 11,816–30.

Byelaws could be made, in some cases, better by the local than the central authority. The Local Government Board having to approve them, does a good deal to secure uniformity, and occasionally causes friction thereby, 11,831–5.

The central authority should be able to step in in cases of default, but otherwise confine itself to its duties under the Public Health Act of 1891, and work common to all London, such as main drainage, water, and gas. It might also take up the question of the unemployed. The Vestry is hampered in dealing with them by having no power outside London, so it cannot reclaim waste lands by these means, 11,841–55. Serious delays are caused by the Vestry having to get the consent of the County Council to schemes under the Housing of the Working Classes Act and to loans, 11,841–4.

ROBINSON, Mr. HUGH MANSFIELD, LL.D.—*cont.*

RODERICK, Mr. THOMAS. Secondary of the City of London:

Analysis of Evidence.

Origin of the Title Secondary:
The Secondary is the second (ministerial) under sheriff of the City, the first (judicial) under sheriff being the Judge of the Sheriff's (now City of London) Court, 7957–9.

Duties:
i. Ministerial.—The Secondary executes all writs and processes directed to the Sheriffs of the City; holds writs of inquiry issued out of the High Court sitting at Guildhall with a jury; inquires into the responsibility of persons offered as bail; attends the sittings of the Court at *nisi prius* for the trial of City actions at the High Court, and the sessions of the Central Criminal Court during the trials of City prisoners; prepares jury lists for the various courts; executes precepts for empanelling compensation juries; superintends and directs the Serjeants at Mace (Sheriff's officers, and attends the Queen's Remembrancer on appointment of Sheriffs, and on rendering their accounts, 7963. He also collects fines and forfeited recognizances in the City, and hands over the proceeds to the City Solicitor as City Bailiff. These were granted to the City by Charters of Edward III. (1327), Henry II., and Charles I., 7963–4.

He superintends and conducts elections for Parliament, Lord Mayor, and Sheriffs, and other elections in Common Hall, and superintends registration for parliamentary purposes, 7965–8. He is deputy returning officer for School Board and County Council elections in City and Southwark, 7969–79. He is High Bailiff of Southwark; and as such may be, but has not actually been, required to attend the Surrey Assizes. The Southwark duties are nominal, 7971–81.

ii. Judicial:
He holds inquiries himself with a jury under the Corporation in compensation cases, where large verdicts are sometimes returned, and Queen's Counsel appear, 7962, 7982–5. His decisions have never been reversed on appeal, 7986.

Staff, &c.:
He finds his own staff, and is paid by fees like all under-sheriffs. The Corporation provides his office, 7972–4.

RODERICK, Mr. THOMAS, Evidence of—*cont.*

London Chamber of Arbitration:

Witness is registrar of the Chamber, which was only established 12 months ago, and has as yet but little business; but the work is sure to increase, as many contracts now being made provide that disputes arising under them shall be referred to the Chamber, 7987–92. There have been references to it from the High Court, 7992. The cost averages about 6*l.*, 7994. Witness cannot say whether, if the Chamber proves a success, any of the other City Courts could be dispensed with, 7994–6.

ROGERS' ALMSHOUSES, BRIXTON:

Foundation and management of, *Kemp*, 5534–9.
See Corporation, 7.

ROSS, Mr. DAVID JAMES:

Assistant engineer of the City Commissioners of Sewers. Analysis of Evidence of. (*See under* Bridgman, Mr. Henry Hewitt.)

ROTHERHITHE:

Parish of, in St. Olave's Union, *Costelloe*, 13,982–5.
Action taken by County Council in default of vestry, *Dickinson*, 1149.

ROTTON, Mr. JOHN F., Q.C., Legal Adviser to the Local Government Board.

ANALYSIS OF EVIDENCE.

A. Authorities sharing the Government of London.

1. *For the Administrative County of London (including the City).*
2. *For the City.*
3. *For the Metropolis outside the City.*

B. Powers and Duties of the several Bodies.

1. *Police Force.*
2. *Police Courts.*
3. *Sanitary Administration and Control.*
4. *Sewers other than Main Sewers.*
5. *Main Sewers.*
6. *Housing of Working Classes.*
7. *Common Lodging-houses, Regulation and Inspection of.*
8. *Buildings, Regulation of.*
9. *Highways other than Main Roads.*
10. *Main Roads.*
11. *Water Supply.*
12. *Baths and Washhouses.*
13. *Petroleum and Explosive Acts.*
14. *Fire Brigade.*
15. *Commons and Open Spaces.*
16. *Hackney and Stage Carriages, Licensing of.*
17. *Tramways.*
18. *Public Libraries.*
19. *Markets.*
20. *Lunatic Asylums and Unsettled Lunatics.*
21. *Cemeteries and Mortuaries.*
22. *Street Improvements.*
23. *Bridges.*
24. *Gas.*

C. Acquisition of Land.

D. Rates—(1.) Assessment; (2.) Mode of Levying.

E. Borrowing Powers.

A. Authorities sharing the Government of London.

1. *For the Administrative County of London (including the City).*
2. *For the City.*
3. *In the Metropolis outside the City.*

1. *For the Administrative County of London:*

The County Council consists of 116 Councillors, elected triennially by ratepayers, and 19 Aldermen, elected every six years by Council. Mode of election, 5–10. Qualifications of County Councillors, 78–80. The area under control of Council, 11, includes the City for some purposes, 12–14.

ROTTON, Mr. J. F., Evidence of—*cont.*

2. *For the City:*

(1.) The Corporation, viz., the Lord Mayor, Aldermen, and Common Council, 15–59.

(*a.*) *The Lord Mayor*, chief executive officer, 15. Mode of election; two Aldermen, usually the senior of those who have served as Sheriff, are annually nominated in Common Hall by such of the liverymen of the Companies as are freemen of the City, and one of these, usually the senior, is elected by the Court of the Lord Mayor and Aldermen, 16–27. His personal jurisdiction, 28.

(*b.*) *Aldermen*, Candidates must be voters on Parliamentary Register, elected by wards, 29–31, practically for life, 32–4. They have powers of their own, 52–3. Wards, ancient divisions, often comprising several parishes, 35–7. Governed by Wardmote under presidency of Aldermen, 38, rated separately for some purposes apart from parishes, 39–46.

(*c.*) *Common Councilmen*, elected annually by wards on St. Thomas's day, 47–51. Numbers elected by each ward altered from time to time by Common Council, 54–7. Provisions for securing purity of election contained in City of London Ballot Act, 1887, and Municipal Corporations (Corrupt Practices) Act, 1884, 58–9.

(II.) The Commissioners of Sewers.

Nominated under seal by Common Council, but not necessarily from its own body, 81–8, no fixed number, 84–5.

3. *Outside the City:*

Vestries and District Boards, established under Metropolis Management Act of 1855, 60–75. Formerly only country parishes with usual Vestries and some local Commissioners of Sewers, 60–3. Vestrymen now elected by parishioners rated to poor rate, one-third retiring each year, 64–6. Number varies in multiples of 12 according to number of rated householders, 67–9. Smaller parishes grouped under district boards, elected by Vestries of the several parishes, 70–5. Qualifications of Vestrymen, 76–80. Number of Vestries 25, and District Boards 14, making 40 with Commissioners of Sewers in City, 89–91.

B. Powers and Duties of the several Bodies.

1. Police Force.

(*a.*) *In City:*

Under control of Commissioner appointed by Common Council with approval of Secretary of State, 92, and removable for misconduct by Court of Aldermen or Secretary of State, 93–8, 151–2. His powers and duties: though under ultimate control of Committee of Court of Aldermen, 99–105, he is to a great extent independent, and acts on his own responsibility more as a chief constable in a county than in a borough 137, 143–53. A Committee of the Common Council deals with the general equipment of the police force and financial matters, 150. Expense of police administration met one-fourth by payment by Corporation, and three-fourths by police rate, 106–11. Possibility of combining City and Metropolitan Police under control of Joint Committee of County Council and Corporation, 141–2.

(*b.*) *Outside City:*

Under control of Commissioners appointed by Secretary of State, 121–2. The area under their control includes any place or parish wholly within 12 miles or partly within 15 miles from Charing Cross, under the 2 & 3 Vict. c. 47, 122–35. This area much larger than Administrative County of London, which is entirely within it, 122–4. Nearly four-fifths of rates of entire police district paid in Administrative County of London (608,000*l.* out of 775,000*l.*), 130–2. Possibility of combining City and Metropolitan Police under Joint Watch Committee of Common Council and Corporation, 141–2. Expenses of Metropolitan Police met by Treasury subvention out of Local Taxation Account (four-ninths of

ROTTON, Mr. J. F., Evidence of—*cont.*

whole); remainder being raised by rates; the whole not to exceed rate of 9*d.* in £, exclusive of pensions, 154–67. Rate levied as part of poor rate on precept of Receiver, and proceeds together with Treasury subvention paid direct to him, without passing through county fund, 168–9.

2. Police Courts.

(*a.*) *In City:*

One at Guildhall and one at Mansion House, presided over by Aldermen, each of whom has powers of stipendiary magistrate, 112–8. For some purposes two Aldermen are necessary, 119–20.

(*b.*) *Outside City:*

Police court buildings provided and maintained by Commissioners of Works out of Votes of Parliament, 170, 172, 177–8. Jurisdiction of courts does not cover whole police area, 171. Salaries of magistrates (not exceeding 27 in number) charged on Consolidated Fund, and their officers paid out of Votes of Parliament, 173–81.

3. General Sanitary Administration and Control.

(*a.*) *In City:*

(I.) *Generally* the Commissioners of Sewers are Sanitary Authority under City of London Sewers Acts of 1848 and 1851, and Public Health (London) Act, 1891, 182–3. Expenses paid partly from sewers rate and partly from consolidated rate, 185. Commissioners nominated by Common Council, 181–8, but not directly amenable to it, 186.

Appeal from Commissioners to Aldermen in Quarter Sessions on questions of audit, &c., 187–9, and to Local Government Board in some cases under Act of 1891 only, 193–8. They have general sanitary powers, 190, and wide powers as regards stopping roads, 190–3.

(II.) *For the Customs Port of London*, the Corporation is Sanitary Authority under Act of 1891, 199–203; it works through a Committee, 204–7, expenses paid from revenues of City, not from rates, 208–12.

(*b.*) *Outside City:*

The Sanitary Authorities are the vestries and district boards, and the Woolwich Local Board elected by ratepayers under Public Health Act, 1848, 213–8. Power of appeal from vestries and district boards to Council, formerly Metropolitan Board of Works, in matters not relating to sewers, 219–21. Powers of County Council over these bodies under Act of 1891; to act in their place in certain cases of default in enforcing Sanitary Acts, and in others to make complaint of the default to Local Government Board, and, if authorised by the Board, act in their place, 222, 242–4: to make byelaws as to offensive trades, nuisances, &c. with approval of Local Government Board, 223–4, 239–41. These powers are not lying dormant, 225–30.

4. Sewers other than Main Sewers.

(*a.*) *In City:*

The Commissioners of Sewers are the authority, 231. Expenses met out of sewers rate, 232. Distinction between sewers rate and consolidated rate nominal only, both levied in same way, 235–8.

(*b.*) *Outside City:*

The vestries and district boards are the authority, subject to regulations of County Council; expenses met out of sewers rate, 233, 239–44, 234.

5. Main Sewers, both inside and outside City, provided by County Council, as successors to Metropolitan Board of Works, 245–7. Expenses met out of county rate, 248, to which City contributes like the rest of Metropolis, 249–50. The Council has power to declare sewers to be main sewers, in which case it assumes responsibility for them, 251–5.

6. Housing of Working Classes under Act of 1890.

(I.) *As regards unhealthy Areas:*

(*a.*) *In City:*

The Commissioners of Sewers are local authority, and Secretary of State central authority, 256–62, several schemes carried out by Commissioners, 263.

ROTTON, Mr. J. F., Evidence of—*cont.*

(*b.*) *Outside City:*

The County Council is local authority, and Secretary of State central authority, 256, 260–2, several schemes carried out by Council, 264.

(II.) *As regards unhealthy Dwelling-houses:*

(*a.*) *In City:*

The Commissioners of Sewers are local authority; Secretary of State, and, in some cases, Local Government Board, central authority, 265–75.

(*b.*) *Outside City:*

The vestries and district boards are local authority; Secretary of State, or, in some cases, Local Government Board, central authority: County Council may in some cases exercise powers of local authority, and subject to decision of Secretary of State) require Local Authority to bear part of expenses, 265–73. As matter of fact, it is the object of County Council to get the vestry or district board to put the Act in force, and *vice versâ*, so as to throw expense on the other body, 274–5.

(III.) *As regards Working Classes' Lodging Houses.*

(*a.*) *In City:*

The Commissioners of Sewers are the authority, expenses paid from rates levied by them, 276. But Corporation has built lodging houses out of their own funds apart from the Act, 278.

(*b.*) *Outside City:*

The County Council is the authority, expenses being paid from county fund as for special county purpose, 276–7.

7. Regulation and Inspection of Common Lodging-houses.

(*a.*) *In City:*

The Commissioners of Sewers have powers under sec. 10 of Sewers Act, 1851, 279.

(*b.*) *Outside City:*

The Commissioner of Metropolitan Police, under control of Secretary of State, is authority to make and enforce regulations, and enforce the Acts 14 & 15 Vict. c. 28 and 16 & 17 Vict. c. 41, 280. Expenses form part of expenses of police, 284. Neither County Council nor sanitary authorities have any powers in the matter, 281–3.

8. Regulation of Buildings.

(I) *As regards new buildings*, the County Council is the authority in and outside City, 285–9.

(II) *As regards dangerous buildings:*

(*a.*) *In City.* The Commissioners of Sewers have powers.

(*b.*) *Outside City.* The County Council has powers, 290–4.

9. Highways other than Main Roads.

(*a.*) *In City:*

The Commissioners of Sewers are sole authority for maintaining and repairing roads, 295–8, but Common Council has, under Local Government Act, 1888, power of making byelaws and regulations in regard to locomotives and their use, in certain cases with approval of County Council, 299.

(*b.*) *Outside City:*

The vestries and district boards have powers under Metropolis Management Act, 1855, 302–3.

10. Main Roads.

(*i.e.*, Roads disturnpiked since 31st December 1870, and such roads (as the Thames Embankment) as may have been constructed by the County Council or Metropolitan Board of Works, 305–6, 313.

Under Act of 1888 these roads both in and outside City, are put in charge of County Council, which may maintain them either itself or through the local authorities (Common Council, vestry or district board), in either case meeting the ultimate expense out of the county rate, 310–5. County Council is authority in all cases for tramways, 307–8, and as regards locomotives, 299–301.

ROTTON, Mr. J. F., Evidence of—*cont.*

11. Water Supply.

(i.) *As regards constancy of Supply:*

(*a.*) *In City:*

The Corporation is local authority, and Local Government Board (*vice* Board of Trade) ultimate authority, 316–25.

(*b.*) *Outside City:*

The County Council, under Act of 1871, is local authority; Local Government Board, *vice* Board of Trade, ultimate authority, 316–25, 328–30.

All water is supplied by private companies, 318, with districts allotted by arrangement amongst themselves (not by statute as in case of gas), 319, 356–7.

(ii.) *As regards purity:*

Purity tested by Water Examiner appointed by Local Government Board and paid by companies, 326.

(iii.) *As regards auditing of Accounts:*

Accounts audited by auditor similarly appointed and paid, 326, copies sent to local authorities (sec. 37).

No public body in London has statutory power to acquire water undertakings, 331–4. Provisions of Public Health Act, 1875, relating to water do not apply to Metropolis, 335; any control over companies resorting to new sources of supply (if allowed by their Acts) rests with Local Government Board (as regards quality of water, &c.), not with local authorities, 336–49. Sinking fund created under recent Acts with view to ultimate purchase of water companies' undertakings, City Chamberlain being treasurer, 351. Companies have no exclusive monopoly of supplying water in London, 353–7, but doubtful whether any local authority has power to provide water, 354–6. Notice of sale of stock to be given to Corporation, 358.

12. Baths and Wash-houses.

(*a.*) *In City:*

The Commissioners of Sewers are local authority, 359.

[This seems to be an error. The power of appointing Commissioners of Baths appears to rest with the vestries of the several City parishes.]

(*b.*) *Outside City:*

The vestries of parishes (not district boards) appoint Commissioners, 359–62. They cannot borrow money for purposes of Acts without Local Government Board sanction, 363.

13. Petroleum and Explosives Acts.

(*a.*) *In City:*

The Common Council is local authority, 364–71.

(*b.*) *Outside City:*

The County Council is local authority, 364–71.

14. Fire Brigade.

The County Council is sole authority for whole Metropolis, 372. Expenses, except so far as met by insurance companies, come out of county rate to which City contributes, 373–4.

15. Metropolitan Commons and Open Spaces.

(i.) *Commons:*

The County Council is local authority as regards commons situated in Metropolis, and may contribute toward expense of any other Metropolitan commons, 375. Its expenses paid by whole Metropolis, 382.

(ii.) *Open Spaces:*

(*a.*) *In City:*

The Corporation is local authority under "Open Spaces Acts," 379–81.

(*b.*) *Outside City:*

The County Council is local authority under Act of 1863, and it and the vestries and district boards are local authorities under Act of 1881, 385–92.

Under the Corporation of London (Open Spaces) Act, 1878, the Corporation may acquire and manage, as open spaces, any lands or commons within 25 miles of City, 376–8. Burnham Beeches and Coulsdon Commons thus acquired, 379–81.

ROTTON, Mr. J. F., Evidence of—*cont.*

16. Hackney Carriages and Stage Carriages.

(i.) *Both carriages and drivers* are licensed throughout Metropolitan Police District by Commissioners of Metropolitan Police, 394–99.

(ii.) *Stands for carriages plying for hire* settled outside City by Commissioners of Police, and inside by him with consent of Lord Mayor and Court of Aldermen, 400–4.

17. Tramways.

(*a.*) *In City:*

The Common Council is the authority, 405, it has so far successfully opposed schemes for tramways within City, 407–10, 417.

(*b.*) *Outside City:*

The County Council is authority to approve schemes and purchase tramways, 406–15, the vestries and district boards, as road authorities, having to approve the mode of constructing the roads, 406, subject to appeal to Board of Trade, 416.

18. Public Libraries.

(*a.*) *In City:*

The Common Council is authority, 418–22. Separate parishes cannot adopt Acts, 423. Expenses may be met by rate (no limit), but none is, as a matter of fact, levied, the Guildhall Library being supported out of corporate funds, 424–30.

(*b.*) *Outside City:*

The Act may be adopted by a parish or district under a board, commissioners being in each case appointed by vestry or district board to carry it into execution, 431–3.

19. Markets.

(*a.*) *In City:*

All provided by Corporation, which has under charter monopoly of establishing markets within seven miles of City. But this monopoly not insisted on (*see* below), 435.

(*b.*) *Outside City:*

All in private hands under Charters or Acts passed with consent of Corporation, except Deptford, Islington, and part of Smithfield markets belonging to Corporation, 435–44. County Council has no power, except to spend money on inquiry, 434–5.

20. Lunatic Asylums and non-settled Lunatics.

(*a.*) *In City:*

The Common Council is in position of County Authority. It provides separate asylum at Stone, near Dartford, 445–53, pays for non-settled lunatics sent to the asylums from City, receiving through County Council from Exchequer Contribution Account, 4*s.* a head a week in respect of them, 445–6.

(*b.*) *Outside City:*

The County Council is local authority, with asylums at Hanwell, Colney Hatch, and Claybury, 449–54.

21. Cemeteries and Mortuaries.

(i.) *Cemeteries.*

(*a.*) *In City:*

The Commissioners of Sewers are Burial Board, Secretary of State being central authority, 455, majority of vestries must approve of Commissioners' Acts, 458.

(*b.*) *Outside City:*

Each vestry, even of grouped parishes, appoints Burial Board for its parish, Secretary of State being central authority, and Treasury approving loans, 456–8. Expenses met out of poor rate; County Council has no power, 461.

(ii.) *Mortuaries.*

(*a.*) *In City:*

Provided by Commissioners of Sewers under Public Health Act, 1891, 462–5.

(*b.*) *Outside City:*

Provided by vestries and district boards acting either separately, or two or more together under arrangement approved by County Council, 462–4.

County Council may provide mortuaries itself for coroners' inquests, 463.

ROTTON, Mr. J. F., Evidence of—*cont.*

22. Street Improvements.

(*a.*) *In City:*

(i.) The Commissioners of Sewers are principal authority, mainly under Michael Angelo Taylor's Act (57 Geo. III. c. 29), and City Sewers Act of 1848 as regards rebuilding, 477–81. Their expenses come out of rates, 528. Assent of Quarter Sessions required to stop passage or right-of-way, 498–506, but not otherwise, 496–507.

(ii.) Common Council also given powers under City Improvement Act of 1847, 490. This primarily related to Cannon Street Improvement, but became Model Act, a governing case having arisen under it, 490–4. Its expenses come out of Corporation funds, 528.

(iii.) The County Council also has authority under Metropolitan Building Acts, 483–5.

(*b.*) *Outside City:*

The County Council is authority under sec. 144 of Metropolis Local Management Act, 1855, 508–9. Vestries and district boards have concurrent powers with consent of County Council, 510–2. Extent of compulsory powers, 513–27.

23. Bridges.

(i.) The Corporation is authority over London Bridge, and Blackfriars, Southwark, and New Tower Bridges, 529–33. Bridge House Estates originally given and acquired for maintenance of London Bridge, but used also as security for loans for other Corporation bridges, 534–5, 562–74. Southwark Bridge thus freed from toll, 536. Financial condition of Bridge House Estates Fund, 538–43.

(ii.) The County Council is authority for other bridges. Hammersmith being the highest up the river, 544–9. Bridges at Kew, Kingston, Hampton Court, Walton, and Staines-on-Thames, and Chillingford and Tottenham Mills on Lee, freed from toll out of proceeds of Coal Dues by Joint Committee of Metropolitan Board of Works and Corporation, 550–61.

24. Gas.

Supply in hands of three private companies: Chartered Gaslight and Coke Company on north of river, South Metropolitan on south of river, and Commercial with smaller district on north of river, 575.

(i.) Gas examiners appointed, *in City*, by Corporation, 576; *outside City*, by County Council, 576.

(ii.) Over all, Chief Examiner, appointed by Board of Trade but paid by Companies, 576. His certificate final. Penalties can be proceeded for on it, 585–6.

(iii.) Referees and Auditor also appointed by Board of Trade, 576, but paid, like Chief Examiner, by companies, 587–8.

Functions of examiners and referees distinguished, 577, referees determine pressure to be required, and what impurities shall be permitted; examiners test daily how far standard is observed, 578–86.

Power of vestries under Gas Act, 1860, to complain to Secretary of State of quantity and quality of gas supplied, 593–604. This superseded by Act of 1868, 605, which laid down sliding scale of prices based on a 10 per cent. dividend, and 3*s.* 9*d.* a thousand feet for Chartered Company, and 3*s.* 6*d.* for South Metropolitan Company, 606–12. Auction clauses in respect of new shares, 613.

C. Acquisition of Land.

(i.) The *Corporation* has unlimited powers under Charter of Edward IV., 614–9, but it actually always applies for licences in mortmain, 620.

(ii.) The *Commissioners of Sewers* have power to acquire land compulsorily under Michael Angelo Taylor's Act for Street Improvements, and under special Acts, 623–4. They hold as a Corporation, 625–6.

(iii.) The *County Council* has general powers under Local Government Act of 1888, 627–31. With approval of Secretary of State it can take land compulsorily for sewage disposal under Act of 1855, 632–7.

ROTTON, Mr. J. F., Evidence of—*cont.*

(iv.) *Vestries and district boards* have powers under Michael Angelo Taylor's Act to take land compulsorily for widening and improvement of streets, 637. Not controlled by County Council, but only by Local Government Board for default under Public Health Act of 1891, 644–5.

(v.) *Commissioners of Baths, Wash-houses, and Public Libraries* have power to take land by agreement only, 639–43.

D. Rates.

1. *Assessment.*
2. *Mode of levying and collection.*

1. *Assessment.*

Under the Valuation of Property (Metropolis) Act, 1869, a quinquennial re-valuation is made of the whole Metropolis, subject to alteration in the meantime by supplementary and provisional lists, 646–7. Values in each poor law union or parish (if so provided in local Act) assessed by overseers, subject to appeal to assessment committee of union (or vestry where parish has rating powers), and to Justices in Quarter Sessions, 648–57. In City appeals to Justices two Aldermen may always attend as members of court, 659.

2. *Mode of levying and collection.*

(*a.*) *In City:*

(i.) *Sewers rate and consolidated rate* levied by wards under Sewers Act of 1848, on direction of Commissioners of Sewers, by the Alderman or his deputy, and the major part of Common Councilmen of each ward meeting for that purpose, 659–63. Their action purely ministerial, except as regards expenses of collection, &c., 664–7. Rate levied on occupiers, except when house is under 25*l.* in value, or rent is payable oftener than quarterly, when owner pays. Empty houses pay half rate. For churches, except St. Paul's Cathedral, public buildings (including prisons, hospitals, &c.) and vacant spaces, a rate not exceeding 3*d.* per square yard is paid by owners or by overseers in respect of parish churches and graveyards, and by City Chamberlain in respect of unowned ground, 668–92.

(ii.) *Police rate*, similarly levied by direction of Common Council, except that public buildings, &c. pay 4*d.* instead of 3*d.* per yard; rate limited to 8*d.* in the £ to cover three-fourths of Police expenditure; other fourth paid by Corporation out of their revenues, 696–704, whole 8*d.* not raised, 703–4.

(iii.) *School Board rate* levied and collected with consolidated rate, 713–9.

(iv.) *County rate* similarly levied and collected, 709.

(*b.*) *Outside City:*

(i.) *County (Council) rate* paid by overseers (practically by vestries) out of poor rate; not levied separately, 705–8, 710–2. If for general county purposes, City contributes; if for special purposes, not, 709.

(ii.) *School Board rate* similarly levied and collected, 713–9.

(iii.) *Police Rate* similarly levied and collected, 720–2.

(iv.) *Baths and Wash-houses rates* similarly levied and collected.

(v.) *Public Libraries rate* levied and collected with poor rate, but not as part of it, 723. Different allowances made, 729.

(vi.) *Sewers, lighting, and general rates (including sanitary rate) of vestries and district boards*, levied like poor rate, but separately from it. Different allowances as regards arable and other open lands, public buildings, &c. Rates vary in each parish or district, 729–32.

E. Borrowing Powers.

(*a.*) *In City:*

(i.) The *Corporation* has original unlimited general power of borrowing on security of estates, &c., but most of its present loans are under special Acts, 733.

ROTTON, Mr. J. F., Evidence of—*cont.*

(ii.) The *Commissioners of Sewers* have power, under Sewers Act of 1848, to borrow on security of sewers rate and consolidated rate for specified purposes, 734–6. Their loans are quite distinct from those of the Corporation, 737–41. Powers under Elementary Education and other Acts, raising maximum rate leviable under Sewers Acts, 797–800.

(b.) *Outside City:*

(i.) The *County Council* is in position of Metropolitan Board of Works. Its finance is governed by the Acts of 1869, 1871, and 1875, which made it subject to detailed Treasury approval, both as regards loans for its own capital expenditure, and for lending on to vestries and other bodies, such as the Metropolitan Asylums Board and School Board, 743–64. Employment of sinking fund in loans to these bodies authorised in 1881, and to meet the Board's capital expenditure authorised in 1885, 749–51.

Maximum currency of loans to vestries, &c. usually stated in Acts, and limited to currency of stock created, but within such maximum periods Treasury consent to currency necessary, 757–63. Temporary loans may be raised by issue of Metropolitan bills; but none have been issued, advances being obtained instead from the Council's bankers, 764–9. The Annual Money Bill used to be introduced by Treasury as a public Bill, and then referred to a Select Committee, and further dealt with as a private Bill, but is now treated as a private Bill throughout, though it is privileged as regards dates of notices, 769–71; otherwise control of Treasury remains as before, 772–7. Financial tables attached to Money Bill under Act of 1875, showing assets, liabilities, sinking funds, rating, expenditure, &c., 778–9. Borrowing powers of London and other County Councils compared, 801–7.

(ii.) *Vestries and District Boards* can borrow under sec. 183 of Metropolis Management Acts of 1855 on mortgage of rates, with consent of County Council, 780, for purposes of Act, &c. They generally borrow from County Council, not in open market, 781–5.

(iii.) *Commissioners of Baths and Wash-houses* can borrow with consent of their vestries and Local Government Board, 786.

(iv.) *Commissioners of Free Public Libraries* can borrow with consent of vestries or district boards, and of Local Government Board, 786.

(v.) *Burial Boards* can borrow with consent of their vestries and Treasury, 787.

ST. BARTHOLOMEW'S HOSPITAL. *See under* CORPORATION, 7.

ST. GEORGE'S-IN-THE-EAST VESTRY:
Area under control of, *Costelloe*, 13,956–62.

ST. GEORGE'S, HANOVER SQUARE, UNION:
Parishes included in, *Costelloe*, 13,966–75.
Rating authorities in, *Dickinson*, 1228.

ST. GILES-IN-THE-FIELDS AND ST. GEORGE, BLOOMSBURY:
Area of united parishes, *Costelloe*, 13,978–80.

ST. JAMES, WESTMINSTER, VESTRY OF:
Evidence on behalf of. *See* Bonthron.
Area under control of, *Bonthron*, 13,339–40, 13,379–430; *Costelloe*, 13,975–7; *Dickinson*, 13,630.

ST. MARGARET AND ST. JOHN, WESTMINSTER, UNITED VESTRIES OF:
Evidence on behalf of. *See* Smith, J. E.
Rating authorities, *Dickinson*, 1228.
Area under control of, *Costelloe*, 13,966–75; *J. E. Smith*, 12,130–44, 12,153–7; *Dickinson*, 13,630.
Resolution as to local government passed by, *J. E. Smith*, 12,205, 12,235, 12,236.

ST. MARYLEBONE VESTRY:
Area under control of, *Costelloe*, 13,956–62.
Action of, in opposing encroachments over the line of building frontage, *Dickinson*, 13,495, 13,496, 13,589–91; *Longstaff*, 13,716–21.
Rating authorities, *Dickinson*, 1228.

ST. OLAVE'S UNION, SOUTHWARK:
Parishes included in, *Costelloe*, 13,982–5.
Rating authorities in, *Dickinson*, 1228.

ST. PANCRAS (VESTRY):
Money borrowed by from the Prudential Insurance Office in preference to London County Council, *Harrison*, 1272.
Comparison of powers of with those of Commissioners of Sewers, *Bridgman*, 1682–96, 1704–24, 1732–9.
Conference on London Government held by in 1885, *Westacott*, 13174–6.
Area controlled by, *Costelloe*, 13,956–62.
Rating authorities, *Dickinson*, 1228.

ST. PAUL'S CATHEDRAL:
The Lord Mayor is a trustee of the fabric, and an auditor of the accounts of, with the Archbishop of Canterbury and the Bishop of London, *Evans*, 2284–8, *Kemp*, 5356–66.

ST. PAUL'S CHURCHYARD:
Laid out and maintained by the Corporation as an open space, *Gomme*, 4055, 4073–6; *Kemp*, 5356–73; *Harrison*, 8855.

ST. SAVIOUR'S (SOUTHWARK) UNION:
Parishes included in, *Costelloe*, 13,982.
Rating authorities, *Dickinson*, 1828.

ST. THOMAS'S HOSPITAL, SOUTHWARK, *see under* CORPORATION, 7.

SALMON, Mr. JAMES, a member of the Common Council of the City of London.

Analysis of Evidence.

Witness has been Common Councilman for Coleman Street Ward since 1887, 8002–4.

As Chairman of the Local Government and Taxation committee, witness had a Day Census taken of the population of the City in 1891, two had been previously taken, viz., in 1871 and 1881. The result was to show a day population for the City of 170,133, 261,061, and 301,384 as compared with a night population of 74,867, 50,652, and 37,694 in 1871, 1881, and 1891 respectively, 8005–12, 8019–24. The decrease in the night population is due to the great value of land in the City, the pressure of inhabited house duty, facilities for travelling, and desire for fresh air, 8024. The same phenomenon is observable in other large business towns, 8025–30. Witness regrets the abolition of the coal dues, which enabled street improvements to be made to accommodate the vast traffic of the City: 1,186,094 persons entered the City on the 4th May 1891, on foot or in vehicles, as compared with 797,563 in 1881, 8013–8. In rateable value the City of London stands at the head of all municipalities and parliamentary boroughs, 8037–8. The day census of the City was suggested by Dr. Farr, Superintendent of Statistics, in 1866, 8039–49.

SANITARY ADMINISTRATION AND CONTROL:

(a.) Generally:

(1.) *In City:*

The Commissioners of Sewers are the sanitary authority under City of London Sewers Acts of 1848 and 1851 and Public Health (London) Act, 1891, *Rotton*, 182, 183; *Bridgman*, 1569–75.

The Commissioners are nominated by the Common Council, but not directly amenable to it, *Rotton*, 81–8, 186; *Bridgman*, 1472–1510, 1558–68; appeal from Commissioners to aldermen in quarter sessions on questions of audit, &c., and to Local Government Board in some cases under Act of 1891, *Rotton*, 187–9, 193–8; *Bridgman*, 1759–69.

Their expenses are paid partly out of sewers rate and partly out of consolidated rate, *Rotton*, 185; *Bridgman*, 1569–75.

(2.) *For the Customs Port of London:*

The Corporation is the authority under Act of 1891, *Rotton*, 199–203, *Bridgman*, 1909–10; it works through a committee, *Rotton*, 204–7; expenses defrayed from revenues of City, *Rotton*, 208–12.

SANITARY ADMINISTRATION AND CONTROL —*cont.*

(3.) *Outside City:*

(i.) The primary authorities are the vestries, district boards, and Woolwich Local Board elected by ratepayers under Public Health Act, 1848, *Rotton*, 213–8; there was formerly a power of appeal from vestries and district boards to Metropolitan Board of Works in regard to matters not relating to sewers, *Rotton*, 219–21.

(ii.) *County Council* has powers under the Act of 1891 over these bodies; to act in their places in cases of default in enforcing sanitary Acts, and in other cases to make complaint of default to Local Government Board, and, if authorised by the Board, act in their place, *Rotton*, 222, 242–4; to make byelaws as to offensive trades, nuisances, &c. with approval of Local Government Board; these powers are not lying dormant, *Rotton*, 225–241; *Dickinson*, 1149–51.

The local authorities might have absolute powers, *Andrews*, 12,451.

(*b.*) MEDICAL OFFICERS OF HEALTH:

County Council may pay half their salary (and require them to report direct to it) the rest being payable by local authorities, viz.:—

In City:

Commissioners of Sewers.

Outside City:

Vestries and district boards, *Dickinson*, 1376–9.

SAUNDERS, DR. WILLIAM SEDGWICK, Medical Officer to the City Commissioners of Sewers. ANALYSIS OF EVIDENCE OF (*see under* BRIDGMAN, MR. HENRY HEWITT).

SAVILL, MR. HERBERT GEORGE, Clerk at the Guildhall Justice Room.

Witness was five years at the Marlborough Street Police Court, 7694.

There is some little difference between the Mansion House and the Guildhall Justice Rooms, the magistrates at the latter being non-resident, an Alderman attending from a rota for each week. There is also a difference in the business transacted at each, 7692, 7693.

Comparison of the Mansion House and Guildhall Justice Rooms with a Metropolitan Police Court.

Character and Amount of Work:

The cases are heavier at the former, being mainly commercial cases—one recent case lasted 10 days—so the number alone is no test of the work, 7695–702. Police summonses are taken in a different court (also at the Guildhall), and are not included in the figures of Guildhall cases, 7703–5. Several of the commercial cases would have seriously embarrassed a stipendiary magistrate, 7709–14. The Magistrate presiding at a city court often certifies for professional aid to be given to a prosecutor, or to assist the police, at the expense of the Corporation, in cases of public importance, 7715–7.

Appeals from the decisions given at the Guildhall are rare, and rarely successful; but witness cannot say how they compare with those of stipendiary magistrates outside, 7718–21.

Corrections of Evidence of Mr. Kemp.

1. As regards market overt as affecting pawnbrokers (*see* Kemp, 5925), 7707.
2. As regards the power of City Magistrates to give possession of deserted premises (*see* Kemp, 6021), 7707.

SCHOOL BOARD FOR LONDON:

Area of, coincident with administrative county, *Angell*, 11,309–17, 11,331–6.

The Board should be abolished, and separate Boards formed in each district, *Fraser*, 13,902–12.

Rate of, how levied, *see* RATES *and* RATING AUTHORITIES.

SCHOOLS:

Under the management of the Corporation. *See* CORPORATION, 7.

SECONDARY OF THE CITY OF LONDON, THE:

Origin of Title:

He is the second (ministerial) under sheriff of the City, the first (judicial) being the Judge of the Sheriff's Court, *Roderick*, 7957–9.

Duties:

(i.) *Ministerial:*

Enumeration of, viz., preparing jury lists, registration of voters, execution of writs, verification of bail, &c, *Roderick*, 7963–81.

(ii.) *Judicial:*

He holds inquiries in compensation cases. His decisions have never been reversed on appeal, *Roderick*, 7962–86. He is also Registrar of London Chamber of Arbitration, *Roderick*, 7987–92.

Staff, &c.:

The Corporation provides his office, and he provides his staff; he is paid by fees like all under Sheriffs, *Roderick*, 7972–4.

SECRETARY OF STATE:

Is ultimate authority—

1. *For whole Metropolis*, as regards—

Cemeteries, provision of, by burial boards, *Rotton*, 456–8. (Treasury approval required for loans.)

Explosives.

Hackney and Stage Carriages, Licensing of, Rotton, 398.

Housing of the Working Classes:

i. Unhealthy areas, *Rotton*, 256.

ii. Unhealthy dwellings (Local Government Board having also powers), *Rotton*, 271.

Petroleum.

Police Force, Rotton, 92, 121, 122.

1. *In City:*

Secretary of State must approve appointment of Commissioner of City Police by Common Council, and he or the Court of Aldermen may dismiss him for misconduct, *Rotton*, 93–8, 151, 152; *Monckton*, 2587–265; *Kemp*, 4630–3, 4842–8.

Control of force is in the hands of the Commissioner, subject to the Lord Mayor, Court of Aldermen, and Secretary of State, *Monckton*, 2587–2605; *Kemp*, 4630–3, 4842–3.

2. *Outside City:*

Secretary of State appoints and can dismiss Commissioner of Metropolitan Police and his assistants, and exercises a general control over the force, *Rotton*, 121, 122; *Bradford*, 10,873–900.

The Receiver, who manages the finance of the force, is directly under the control of the Secretary of State, *Bradford*, 10,896–900.

2. *For Metropolis outside City*, as regards—

Common Lodging-houses, control of, by Commissioner of Metropolitan Police, *Rotton*, 280; *Dickinson*, 13,530–1.

Police Courts, magistrates and staff of, appointed and dismissed by Secretary of State, and their expenses paid out of Imperial funds, *Rotton*, 173–81; *Kemp*, 5988–98. In extradition cases the Secretary of State's warrant is issued to the chief magistrate at Bow Street, *Kemp*, 6028–30.

Main sewers, acquisition of land for, by County Council, under Act of 1855, must be approved by Secretary of State, *Rotton*, 627–31.

FIRE INQUESTS:

In City only:

Power to direct an inquiry into City of London fires, *Monckton*, 2747–65.

SEWELL, COLONEL T. DAVIES, Clerk of the Chamberlain's Court.

ANALYSIS OF EVIDENCE.

The Chamberlain's Court.—The Court, which dates back before 1307, adjudicates between masters and apprentices, admits all freemen, and enrols all apprentices bound according to the custom of London, 7073, 7117. The public are not excluded and not welcomed, 7074–9. The Chamberlain or Comptroller presides as judge, 7080. There are about 14 cases a year, 7081–2, 7122. Apprentices are occasionally committed to Bridewell for idleness, insubordination, or truancy. Two are there now (January 18th, 1894), 7083–5. The Magistrates

SEWELL, Colonel T. D., Evidence of—*cont.*

have concurrent jurisdiction, but that of the Chamberlain is preferred, 7087–90, 7118. The apprentices are sometimes represented by solicitors, but no costs are allowed. The only expense is 1*s.* for a summons in some cases, 7091, 7092. There are occasionally cases of apprentices against masters, *e.g.*, for requiring too long hours, 7093–100. In such cases if the complaint is held to be substantiated the Chamberlain makes an order, which the Mayor's Court enforces, if necessary, by fine, but not in recent years by imprisonment, 7123–9. There are about 2,000 apprentices in the City. The term of servitude has recently been reduced to four years, 7101–4.

The Court keeps a roll of all freemen; about 500 are admitted annually, 7105–10. There are nearly 9,000 voters in Common Hall, 7120, 7121. The livery companies present their members to the Court for the conferring of the freedom of the City; but to be a freeman a man need not (since 1835) belong to a company. There are three phases, freeman of a company, freeman of the City, liveryman of the company. A man cannot become a liveryman who is not a freeman of the City, 7111–4. A lad may be, and usually is, bound an apprentice within a company, but he must be enrolled in the Chamberlain's Court, or the indenture cannot be enforced after 12 months, 7115, 7116.

SEWERS, COMMISSIONS OF:

There were formerly seven Commissions of Sewers outside the City, *Rotton*, 60–3; *Harrison*, 9063.

SEWERS, CITY, COMMISSIONERS OF:

Evidence on behalf of. *See* Baylis, Blake, Bridgman and Ross.

1. Origin.
2. Constitution.
3. Duties and Powers:
   (*a.*) *Generally.*
   (*b.*) *Acquisition of land.*
   (*c.*) *Rating.*
   (*d.*) *Borrowing.*
4. Finance.
5. Miscellaneous.

The earliest Commissions of Sewers were issued by the Crown to deal with surface water, floods and sea-walls, *Kemp*, 5697–8.

1. Origin:

The first Commission of Sewers for the City of London was nominated in the reign of Charles II., after the great fire, under an Act of 1667, to regulate the re-building of the City of London as to sewers, drains, &c.; there may have been local associations regulating drainage, &c. before that time. The Act of 1667, at first temporary, has been made perpetual, *Bridgman*, 1462–8; *Kemp*, 5699.

The first Commission consisted of 12 judges, together with the City Lands Committee of the Corporation, with a view of settling disputed questions of ownership and value which might arise in the process of re-constructing London; the outcome being the Commissioners of Sewers to look after drainage, &c., *Bridgman*, 1553–5.

In early times the Corporation regarded its municipal functions as confined principally to safeguarding the mercantile and social interests of the citizens; it had power to prevent nuisances, *Kemp*, 5659–70.

The Corporation delegated these duties to the Commission, not wishing that its corporate arrangements should be mixed up with functions as to drainage, &c., then thought less important, *Bridgman*, 1511, 1512.

Various powers as to paving, &c. were conferred upon the Commissioners by Michael Angelo Taylor's Act, 1817, *Kemp*, 5702–3.

The Commission was reconstituted under the City of London Sewers Act, 1848, *Kemp*, 5711–21; *Bridgman*, 1449; *Rotton*, 286–95.

The Sewers Act of 1848 was amended by the Sewers Act, 1851, which increased the powers of the Commissioners in various respects, *Rotton*, 182, 279–86, 678.

SEWERS, COMMISSIONERS OF—*cont.*

2. Constitution:

Election of Commissioners:

It is customary for the Common Councilmen representing a Ward to choose from among their number their representatives on the Commission, *Bridgman*, 1472. They are chosen by seniority, and about a third of the Common Councilmen of each Ward serve on the Commission. They serve for several years, *Bridgman*, 1483–98. Their names are brought before a "Previous" meeting of the Council, the day before the first Court. At the first Court they are nominated and, if none are rejected, their nominations are sealed at the next Court, *Bridgman*, 1472–82. In a typical Ward (Cheap) there has not been much change in the eight Common Councilmen elected of late years, and the three of them serving on the Commission have held office for the past three years; they would resign if they felt incompetent, and other three from the eight would take their places, *Bridgman*, 1499–1510.

The Common Council need not select the Commissioners from their own number; it may elect outsiders but has not done so, *Bridgman*, 1523, 1524.

The Lord Mayor is by statute (titular) chairman of the Commission, *Kemp*, 4611–20.

Control of Ratepayers over the Election:

At the election of Common Councilmen the electors frequently raise questions as to their representatives' work on the Commission, and thus indirectly have a voice in the Commission's constitution, *Bridgman*, 1545–8.

Size of the Commission:

The Commission formerly consisted of about 100 members, about a third of the number of Common Councilmen, out of which 52 (26 Deputies and 26 Aldermen) were *ex officio* members; now Deputies are elected like other members and only six Aldermen are nominated, *Bridgman*, 1513–21.

In 1866 the number was increased from 83 to 92, in view of the growing importance of the work of the Commission, three members of the Metropolitan Board of Works being elected as *ex officio* members, *Bridgman*, 1539–41.

The number of Commissioners is no more than sufficient; if there were less they would be overworked, the chairman, having to attend every committee, is very hard worked, *Bridgman*, 1543, 1544.

Meetings:

The Commission sits once a fortnight, the meeting lasts from two to four hours; about two-thirds of the members attend, *Bridgman*, 1526–30.

Committees:

The three great standing committees are the "Finance and Improvement," "Streets," and "Sanitary" Committees, five from each of which form the "Audit Committee." Four committees meet each fortnight, their numbers average 30, and about two-thirds of the members attend; the chairman and late chairman attend all committees as *ex officio* members, *Bridgman*, 1525–38.

Control of Common Council:

The only power which the Common Council has over the Commission, when once created, is by superseding it by a new Commission, *Bridgman*, 1558–68.

The Commissioners are unpaid, *Bridgman*, 1887, 1888. The Corporation allows 600*l.* a year for the expenses of the Commission, *Bridgman*, 1959–61.

Staff:

The clerical staff, numbering about ten, is not excessive; it is appointed (practically re-appointed) yearly, as the Commission comes in; there is no system of superannuation, the grant of gratuities and pensions on retirement being at the discretion of the Commissioners; staff entirely different from

SEWERS, COMMISSIONERS OF—*cont.*

2. STAFF—*cont.*

that of Corporation, in some cases the Corporation appoints officers paid by Corporation, *Bridgman*, 1648–67. The Corporation employs a surveyor, the Commission an engineer and surveyor in one; Col. Haywood was lent by the Commission to undertake the Holborn Valley improvement for the Corporation, who paid him as an outsider, *Bridgman*, 1670, 1671–3. The Corporation needs no engineer but the Commission needs one to construct sewers, &c. The Tower Bridge is being built by an outside engineer, *Bridgman*, 1674–81. The City Chamberlain, who is paid by the Corporation, acts as treasurer to the Commission, *Bridgman*, 1914.

Salaries of Staff:

Total about 60,000*l.* a year, indoor about 13,000*l.*, scavengers, &c. (634) 30,000*l.*, *Bridgman*, 1941, 1942.

3.—(*a.*) GENERAL DUTIES AND POWERS:

The Commissioners are the authority in the City for—

(1.) *Artizans' Dwellings*, built by the Commissioners under the Act. Cost of site, 236,604*l.*, less recouped by sale of land, 116,078*l.*, net 120,526*l.*; cost of building, 80,389*l.*; total cost, 200,915*l.*, *Bridgman*, 1838–40. Provisions for repayment of loans, *Payne*, 6922–8. Two sites were cleared, one built on, the other sold, *Bridgman*, 1841–3. Few of the inhabitants of the Commissioners' dwellings are really artizans, many are Jews, of whom several had to be turned out because of their troublesome habits, *Bridgman*, 1857–65. Rents received in 1892 were 5,589*l.*, rates, taxes, and repairs nearly 4,000*l.*, leaving about 1½ per cent. on the outlay, 206,000*l.*, showing that the City is unsuitable for the development of artizans' dwellings, 1867–71. Possibility of these dwellings being built outside City, *Bridgman*, 1844–52, 1875–80. The Corporation has also erected artizans' dwellings, *Bridgman*, 1854–6.

(2.) *Baths and Wash-houses*, *Rotton*, 359. [This appears to be an error. The adoption of the Act rests with the vestries of the several City parishes.]

(3.) *Buildings, dangerous*, Regulation of, *Rotton*, 285–9; *Harrison*, 855, 864–82; *Bridgman*, 1736.

(4.) *Cemeteries*, Provision of, *Rotton*, 455.

(5.) *Common Lodging-houses*, Inspection of, *Rotton*, 279.

(6.) *Highways*, Maintenance of, *Rotton*, 295–8.

(7.) *Housing of the Working Classes*, as regards—

(i.) Unhealthy areas, *Rotton*, 256–62.

(ii.) Unhealthy dwellings, *Rotton*, 265–75.

(iii.) Working classes' lodging-houses, *Rotton*, 276. See above *Artizans' Dwellings*.

(8.) *Mortuaries*, Provision of, *Rotton*, 462–5.

(9.) *Sanitary Administration*, including street control; expenses paid from sewers rate and consolidated rate; appeal from the decisions of Commissioners to aldermen in quarter sessions, *Rotton*, 182–8. Commissioners have some 300 boys to clear the streets of filth, which is carried away at night, the vestries nearer the City make similar arrangements, *Bridgman*, 1919–21. Various Acts give the Commission original powers as to control of street lighting, sewers and cleansing, sanitary matters, and construction of buildings, &c., *Bridgman*, 1574, 1575. Power to close roads, stop thoroughfares, &c., *Rotton*, 189. Appeal to Local Government Board in cases of default; powers of Board in such cases, *Rotton*, 189–96.

(10.) *Sewers, other than main sewers*, *Rotton*, 231, 232.

SEWERS, COMMISSIONERS OF—*cont.*

3.—(*a.*) GENERAL DUTIES AND POWERS—*cont.*

(11.) *Street Improvements* under Sewers Acts of 1848 and 1851, and Michael Angelo Taylor's Act, 1817, *Rotton*, 477–81. The Commissioners are continually improving the City streets, under Michael Angelo Taylor's Act, *Bridgman*, 1716–21. It is practically impossible to effect a whole street improvement in the City at once; but it would have cost less to complete Ludgate Hill improvement at one stroke than it has done, *Bridgman*, 1729, 1730. Total cost of improvements carried out by Commissioners of Sewers between 1851 and 1892 has been 3,026,000*l.*, towards which the Metropolitan Board of Works contributed 591,000*l.*, the remainder being paid from the rates, *Bridgman*, 1830–4. According to relative rateable value, City ratepayers contribute annually one-eighth part of cost of improvements effected in metropolis outside City, *Bridgman*, 1835–7. Cannon Street made by Corporation under special Act, Arthur Street East by Commissioners of Sewers, who also contributed a quarter of a million to the Eastcheap improvement, *Bridgman*, 1711–15. The Common Council undertook the Holborn Valley Improvement under special Acts. Apart from special Acts the Commission has denuded the Council of all powers as to improvements, *Bridgman*, 1578–82.

In former years the Metropolitan Board of Works contributed some 30,000*l.* a year towards the cost of improvements in the City, and the Commission in anticipation of its continuance embarked on several undertakings, so that if the Board still existed it would now be in debt to the City to the extent of 200,000*l.*, *Bridgman*, 1697.

The County Council has assisted in the case of a small improvement at Finsbury only, *Bridgman*, 1698.

Witness does not recommend that City should bear same relation as vestries to the County Council in respect of improvements. It is more necessary to avoid publicity in such matters in the City than elsewhere in London, where land is less valuable, *Bridgman*, 1699–1704.

The Metropolitan Board of Works carried out Queen Victoria Street Improvement, to which City as ratepayers contributed; Holborn Viaduct was constructed by the Common Council at expense of Coal and Wine Dues, *Bridgman*, 1705–11.

Many improvements have been undertaken by Corporation in order to save the citizens' rates, *Bridgman*, 1911, 1912. The Corporation has contributed largely to the expenditure of the Commissioners of Sewers upon improvements, *Bridgman*, 1913.

There is no clashing of interests with the County Council by reason of streets being entirely under control of Commissioners, while the main sewers are in hands of the Council, *Bridgman*, 1917, 1918.

(12.) *Water*. Water was at first supplied by carriers, then by conduits to cisterns in City, *Kemp*, 5671–76. Establishment of London Bridge Waterworks and New River Company, *Kemp*, 5676–88. The Commission is the authority to supply water for street purposes; it has sunk artesian well from which its artizans' dwellings are supplied (formerly by New River Company); the quantity is large and quality good; a proposition to water the streets from the well is under consideration, *Bridgman*, 1770–5. Expense of sinking well charged to annual expenditure and defrayed out of rates as

SEWERS, COMMISSIONERS OF—*cont.*

3.—(*a.*) General Duties and Powers—*cont.*

(12.) *Water*—cont.

it could not be met by borrowed money, *Bridgman*, 1776, 1777. The Sewers Act of 1848, s. 147, gives the Commission power to sink wells for water supply, &c., *Bridgman*, 1788. There is sufficient water in the well to supply the City, but Commission has no power to lay pipes and so cannot compete with New River Company for supply to public, *Bridgman*, 1789–92. The supply is dearer than that of New River Company because of first cost of well; if area of service were extended the proportional charge would be much less, *Bridgman*, 1799–1804. The water is found in fissures in water-bearing chalk strata; depth of well, 512 feet, *Bridgman*, 1793–8, 1803.

(13.) *Gas.* Commission has no power over the companies, only control lighting of streets, *Bridgman*, 1903, 1904.

(14.) *Markets.* No disadvantage in powers of Common Council and Commission overlapping to some extent, *Bridgman*, 1936.

(15.) *Schools.* Out of total expenditure, 179,090*l.* goes to School Board, *Bridgman*, 1943–5. Rate for the last two or three years has been 10*d.* or 11*d.* in the £; there is only one board school in City; there are elementary schools in each ward, *Bridgman*, 1946–50.

(16.) *Watching, Proposing, and Opposing Bills.* The Remembrancer watches all Bills in Parliament likely to affect the City, and reports both to the Commissioners and the Common Council, *Bridgman*, 1580–2. The Commission has power under Sewers Act to oppose and promote Bills. This latter power is never exercised, all necessary Bills being promoted by the Corporation, *Bridgman*, 1805–8. The Commissioners oppose Bills likely to injure citizens' rights, *Bridgman*, 1809–15. Anything adversely affecting the ratepayers as apart from the population would be opposed on behalf of the Commissioners; the City Remembrancer would charge the Commissioners with counsel's fees, but would himself be paid by the Corporation, *Bridgman*, 1818. The inability of corporate bodies generally to expend money on opposing Bills arises under the Borough Funds Act and Local Government Act, 1888, *Bridgman*, 1819–26.

(17.) *Powers outside City.* The Commission has powers as regards the liberties of the City and as a Burial Board it has a cemetery outside; anyone can bury there; lower fees are charged to citizens, *Bridgman*, 1583–9. Otherwise all the powers of the Commissioners are confined to the City, while the Corporation has some powers, *e.g.*, as regards markets, extending beyond, *Bridgman*, 1591, 1592.

(*b.*) Acquisition of Land, Powers as regards:

The Commissioners have power to acquire land compulsorily under Michael Angelo Taylor's Act (1817) for street improvements, and under special Acts, *Rotton*, 623, 624. They hold as a corporation, *Rotton*, 625.

(*c.*) Rating Powers:

The Commissioners are the rating authority for the City; limit of rate never reached, *Bridgman*, 1572, 1573.

Sewers rate and Consolidated rate levied by wards, under Act of 1848, on direction of Commissioners of Sewers, by the alderman or his deputy and the major part of common councilmen of each ward meeting for that purpose, *Rotton*, 659–63. Mode of assessment, levying, and collection, *Rotton*, 659–92.

SEWERS, COMMISSIONERS OF—*cont.*

3.—(*c.*) Rating Powers—*cont.*

School Board Rate and County Rate collected by Commissioners of Sewers with the Consolidated rate on precept from the School Board and County Council respectively, *Rotton*, 709, 718.

(*d.*) Borrowing Powers:

The Commissioners have power under Sewers Act of 1848 to borrow on security of sewers rate and consolidated rate for specified purposes, *Rotton*, 734–6.

They have also borrowing powers under Elementary Education and other public and private Acts, *Rotton*, 797, 800.

Their debt is quite distinct from that of the Corporation, *Rotton*, 737–41.

The Commissioners have by statute limited borrowing powers for general purposes (improvements, &c.) and unlimited for artizans' dwellings. Under the Artizans' Dwellings Acts the Commissioners may borrow up to a maximum of half a million, and may reborrow as any part is paid off, *Bridgman*, 1612–8, 1624–9. Under other Acts debt has to be paid off within a certain time, *Bridgman*, 1612–22, 1632. There is a sinking fund in regard to the half million loan; all other loans are raised by temporary bonds which are drawn and paid off from time to time; one extends for 60 years and is payable by half-yearly payments, *Bridgman*, 1881–6. The Commission can borrow through the Corporation at a cheaper rate (3 per cent.) than of itself in the open market, the Corporation loans making a larger stock for investment, *Bridgman*, 1924–8. The London County Council can borrow at less than 3 per cent., *Bridgman*, 1928–33.

4. Finance:

Expenditure and Receipts:

The accounts for year 1892 balance very closely, *Bridgman*, 1593–5. There is generally a small credit balance, *Bridgman*, 1596. The main receipts come from the rates; the Commission has no rents from lands to swell its income, the only property held by it being that required for proper discharge of its own functions, *Bridgman*, 1597–1605. Net debt, 1,620,624*l.*, incurred for improvements and erecting artizans' dwellings, *Bridgman*, 1607, 1608. A table of assets and liabilities is drawn up every year to enable the Commissioners to estimate necessary amount of rates, *Bridgman*, 1620. Creation of sinking fund, provided for under Sewers Act of 1848, *Bridgman*, 1540. The improvement account is the only capital account of the Commissioners, *Bridgman*, 1642–4.

Audit:

The accounts of the Commissioners are audited by three auditors appointed by the Common Council. They are always professional accountants and declare their audit to be correct before a magistrate, *Bridgman*, 1747–57. They or anyone else concerned may appeal to quarter sessions on questions of audit, *Bridgman*, 1759–69.

5. Miscellaneous:

Comparison of Work of Vestries and of Commissioners:

The work of St. Pancras Vestry and of the Commissioners practically the same, though larger improvements are carried out by the latter, vestries having to get County Council consent to borrow, *Bridgman*, 1682–96 and 1722–4. Rateable value of City 4,000,000*l.*, and of St. Pancras 1,500,000*l.*, *Bridgman*, 1704–6. Powers exercised by Commissioners without and by vestries with County Council's control; corresponding powers of vestries and the Commissioners, *Bridgman*, 1732–9.

SEWERS, MAIN. *See* MAIN SEWERS.

SEWERS, METROPOLITAN, COMMISSIONERS OF. *See* COMMISSIONERS OF METROPOLITAN SEWERS.

SEWERS OTHER THAN MAIN SEWERS:
(1.) In City—
The Commissioners of Sewers are the authority, *Rotton*, 231; expenses defrayed out of sewers rate, *Rotton*, 232.
(2.) Outside City—
The vestries and district boards are the authority subject to County Council regulations; expenses defrayed out of sewers rate, *Rotton*, 233–44.

SHERIFFS:
(*a*) *In the County of the City of London:*
Ancient privilege of City to elect its own sheriffs, *Kemp*, 6101–7. It also bought the Shrievalty of Middlesex, *inter alia*, from Henry VI. for a fee farm rent of 315*l.*, to enable it to pursue bankrupts and felons who fled from the City into districts round. It lost this Shrievalty under the Local Government Act, 1888, and the fee farm rent was corresponding reduced. In practice, the two Sheriffs of London used to act together as Sheriff of Middlesex, *Kemp*, 6102–10.
The sheriffs are elected by the same constituency as the Lord Mayor; with approval of Court of Aldermen; refusal of its approval is very rare, *Kemp*, 4590–5; *Fulton*, 7547–9.
Right of nomination by Lord Mayor, *Monckton*, 6475–6.
A sheriff's expenses average about 4,000*l.* for his year of office, *Evans*, 2156–9.
The sheriffs provide a daily luncheon for the judges and privileged persons at the Central Criminal Court, and pay the expenses of juries locked up for the night, *Evans*, 2164–70.
Allowance made to the sheriffs by the Corporation is taken by the under sheriff, who also receives a certain amount from the sheriff, *Evans*, 2171–6.
The Secondary is the second (ministerial) under sheriff of the City, *Roderick*, 7957–9.
Each sheriff pays one-fourth of the expenses of the procession and banquet, *Evans*, 2177–84.
(*b.*) *In the County of London:*
Nomination and duties the same as those of other counties, *Kemp*, 6090–3; *Harrison*, 9071, 9072.
(*c.*) *In Nottingham.* *See* Nottingham 3 (v.)

SHIPLAKE ISLAND:
Acquired and maintained by the Corporation out of the proceeds of the grain duty under the Corporation of London Open Spaces Act, 1878, *Gomme*, 5073–9; *Kemp*, 5373–80.

SHOP HOURS ACT:
The County Council has power to make byelaws to be enforced by Common Council in City and by County Council outside, *Dickinson*, 1447.
The duty of administering the Act might be entrusted to the local authorities, *Leete*, 13,329–32; *Tagg*, 10,776–84: *Westacott*, 13,177–80; *Whale*, 12,340–8; *Harris*, 13,070.
Comments on this proposal, *Dickinson*, 13,524, 13,525.

SION COLLEGE:
Site of, acquired under a special Act from the Corporation, *Brand*, 7832.

SKY SIGNS ACT:
Authorities for enforcing—
In City:
Commissioners of Sewers, *Bridgman*, 1732–8.
Outside:
County Council, *Longstaff*, 14,043–59.
The duty should be transferred to the local authorities, *Boulnois*, 12,575–8; *H. J. Smith*, 11,747–79; *Whale*, 12,340–8; *Leete*, 13,219–56.
Comments on this proposal, *Longstaff*, 14,047–59.

SLAUGHTER-HOUSES, LICENSING OF:
Licensing Authorities—
In City:
Commissioners of Sewers, *Dickinson*, 1429.
Outside City:
County Council, *Dickinson*, 1426–33.
The duty should be transferred to the local authorities, *Boulnois*, 12,575–8; *Dewey*, 11,667; *Harris*, 13,068–71; *Holland*, 11,954–74; *Leete*, 13,293, 13,294; *H. J. Smith*, 11,767; *J. E. Smith*, 11,252; *Westacott*, 13,177; *Whale*, 12,342; Comments on this proposal, *Dickinson*, 13,496–505.

SMALL HOLDINGS ACT:
The County Council has taken land at Poplar, which it is sub-letting largely, and is in communication with War Office as regards Plumstead Marshes. It must sub-let at such terms as will save the Council from expense, *Dickinson*, 1338–53.
The local authorities might be given power to adopt the Act, *Harris*, 13,070.
Comments on this proposal, *Dickinson*, 13,489–91.

SMITH, Mr. HENRY JOHN, Clerk and Solicitor to the Vestry of Lambeth.

Analysis of Evidence.

The Vestry, or other local authority replacing it, should take over the duties of the Commissioners of Libraries and Baths and Wash-houses, but it should have power to elect on the committees dealing with such matters persons, not being members of the local authority, who take an interest in them, 11,676–82.

Lambeth Vestry.

Lambeth parish is a long narrow strip 6½ miles long, and containing about 4,000 acres, running back from the river to the hill. The population is 275,000. There are 137 miles of roads—seven paved with wood—looked after by 360 men, besides 60 men for sewer work, all employed directly by the Vestry. Steam rollers and machine brushes are used, 11,683–704.
The Vestry is elected in thirds every year, and this will continue under the Act of 1894, 11,696, 11,697. It has property, mostly charitable, including the Pedlar's Acre, producing about 1,000*l.* a year, 11,705–10.

Relations of the Vestry to the County Councils.

These are not as close as they were to the Metropolitan Board of Works, the County Council putting on a superior air as elected on a wider franchise than the vestries, and from a larger area. This want of touch impedes business, 11,712–16. The councillors for the district have been invited to attend the vestry meetings, but out of eight only one, who is also a vestryman, ever attends, and that but irregularly. It would tend to remove friction if they did attend, 14,717–21. Every councillor should be *ex officio* a vestryman for his district; they would probably attend if they were, and could consequently vote and speak, 11,722–25; but the work of the Council is very arduous and they would not easily be able to find time for both, 11,726–9. Witness does not approve the suggestion that the elections for the County Council and vestries should be combined, the highest on the list being county councillors, the next vestrymen; it would be better to keep them separate, 11,730–3. Lambeth has no specific complaints to make against the County Council; it has always obtained what loans it wanted without difficulty. It does not attach much importance to the complaint that the Council has been inert in declaring roads to be main roads and contributing to their cost. Taking London as a whole this balances itself, 11,734–5.

Central and local bodies.

It would be impossible for a single central body to do the whole work of London; it would break down under the mass of details, 11,736.
The status of the Vestry might be raised with advantage, *e.g.*, by making a certain number of members aldermen, who might be justices of the peace during their term of office, 11,737–41. The chairman might be called mayor, but this is of doubtful acceptance. The name District Council would be preferable to Vestry, 11,742–6.

Division of work between the central and local bodies.

The District Council should have original, not delegated (as proposed by the Bill of 1884), power to manage the affairs of the district including, besides the civil functions now exercised by the overseers and churchwardens, the direct administration of the Burials, Baths, and Libraries Acts, the whole administration of the Building Acts, formation of new roads, renumbering of streets, closing roads for repairs, licensing of slaughter-houses, cow-houses and dairies, administration of the Petroleum and Explosives and Sky Signs Acts, the

SMITH, Mr. HENRY JOHN, Evidence of—*cont.*

central authority only framing byelaws and managing things common to all London, like main drainage, and retaining a control over valuation, 11,747–56, 11,764–79. Re-naming streets might be left to the District Council subject to the veto of the County Council, 11,757–64. Witness cannot suggest any work now done by vestries which should be transferred to central body, 11,778–9. The City should have a local authority with similar powers, 11,780–8.

SMITH, Mr. JOHN EDWARD, Clerk to the Vestry of St. Margaret and St. John, Westminster.

Analysis of Evidence.

The area of the united parish of Westminster is 823 acres, the population 55,500, and the rateable value 800,000*l*. There are 25 miles of streets. It is only a part of the old parish of St. Margaret's, which extended from Temple Bar to Knightsbridge. The severance was effected before 1585, from which time records exist of the work of the Vestry, showing its action as regards the supply of water, drainage, &c., 12,130–40. The Vestry now administers the Metropolis Management, Public Health (London), Housing of the Working Classes, Rating Valuation (Metropolis), Sale of Foods and Drugs and other Acts. It works in union with St. George's, Hanover Square, for poor law purposes, and the guardians of the union appoint the Assessment Committee, otherwise the Vestry is independent, 12,141–4.

The Vestry consists of four *ex officio* (the two rectors and churchwardens) and 96 elected members, of whom a third retire annually. The Local Government Act, 1894, abolishes the *ex officio* chairman. There might be six *ex officio* members (two rectors and four churchwardens), but two of the latter are elected members, 12,145–51. The number of members is unnecessarily large for the work, 12,152–3. The parish might very well unite with other small adjacent parishes, but the whole of the old parish would be too large, and St. George's, Hanover Square, at all events, should be excluded. Without that the area of the old parish would be 1,440 acres, with a population of 120,000, and a rateable value of 2,600,000*l*., 12,154–60. The old parish might be divided into two (by uniting St. George's and St. James' in one, and joining the rest together) or into three, following the existing county and parliamentary divisions, viz.: (i.) St. George's, (ii.) St. Margaret's and St. John's, with the close of St. Peter, and (iii.) St. James's, St. Martin's and the present Strand district. Witness would not unite Westminster and Chelsea, 12,160–71.

The Vestry meets fortnightly at 4 p.m., except once a year. The sittings last about two hours. The committees also meet fortnightly, at the same time, 12,172–6.

Relations with the County Council:

(i.) Applications under the Building Acts, from owners wishing to advance beyond the general line of frontage, are generally dealt with by the County Council on lines recommended by the Vestry, which it always consults, and might be dealt with by the Vestry itself, with an appeal to the County Council if an owner felt aggrieved by its decision, 12,177–82.

(ii.) As regards loans, the Vestry has been always treated with admirable care, courtesy, and expedition by the Council. No loan has ever been refused. The Vestry always borrows from the Council, 12,183–6.

(iii.) As regards the drafting of byelaws, the Council always consults the Vestry and pays attention to what it says, 12,187.

(iv.) Closer connection between the Vestry and Council would be established if the members of the latter for the district were *ex officio* members of the former. At present one gentleman is a member of both bodies, and regularly attends the meetings of the Vestry and its Works Committee, but he is leaving the neighbourhood, 12,188–93.

(v.) As regards valuation, the Vestry has no fault to find with the action of the Council about assessments. They work very well together, 12,194.

(vi.) As regards street improvements and main roads the County Council has given little or no help to the Vestry, thereby preventing many useful improvements, 12,209–33.

SMITH, Mr. JOHN EDWARD, Clerk to the Vestry of St. Margaret and St. John, Westminster, Evidence of—*cont.*

(vii.) Electric lighting has been discussed by the Vestry, which has approved the schemes brought forward, 12,234.

The High Bailiff of Westminster is the officer of the old Court of Bargesses, and has nothing to do with the Vestry. He acts as under-sheriff and returning officer, 12,197–202.

The title of vestry might be advantageously altered; district council would be preferable. In 1888–9 the Vestry passed resolutions in favour of a municipal corporation for Westminster, and referred the matter to one of its committees, which, seeing the necessity for a central authority to manage the fire brigade, main drainage, police, &c., shelved the question, 12,203–7. It would add to the dignity of the chairman of the District Council if he were styled mayor, 12,207–8. The Vestry has passed a resolution in favour of the continuance of strong local authorities to administer local affairs, 12,235–6. Their powers should extend beyond those now entrusted to them, so as to embrace the powers now vested in burial boards, commissioners of libraries and baths and washhouses, and all local matters except poor law, education, and police. It would not be necessary to appoint outsiders on the baths and libraries committees, 12,237–44.

The Vestry should also manage its own municipal offices (now rented from the overseers, who built it under the Parochial Offices Act, 1861), 12,244–51, administer the Building Acts, and control the district surveyor: license cow-houses, dairies and slaughter-houses, and dealers in game, subject to an appeal to the County Council in cases of difference: and administer the Weights and Measures Act, as it does the Sale of Food and Drugs Act, with power to the County Council to pass byelaws, exercise general supervision, and step in in case of default at the expense of the local authority: but the areas should not be too small, 12,252–59. The Vestry might also be given the registration of births, deaths and marriages, and the enforcement of vaccination, so as to keep these matters away from their present association with poor relief. They might also administer the Petroleum Acts under byelaws, 12,267–80.

SMITHFIELD MARKET. *See* MARKETS.

SMOKE, PREVENTION OF. Authorities for:

In City, Commissioners of Sewers under Local Government Board.

Outside City, Vestries and District Boards under control of County Council, *Holland*, 11,974; *Dickinson*, 13,513–5.

SOANE'S (SIR JOHN) MUSEUM. *See* CORPORATION, 7.

SOUTH METROPOLITAN GAS COMPANY. *See* GAS SUPPLY.

SOUTHWARK:

City (Bridge House), estates in, *Brand*, 7791.

(i.) Justices for:

The aldermen who have passed the chair are nominally justices for Southwark; they are not paid, *Monckton*, 2735–51. The senior aldermen of the City of London may remove to the Ward of Bridge Without (Southwark); if he declines the next in seniority may remove to it, until all have refused, when the common council may elect any freeman; in the earliest time the electors of the ward chose their own Alderman, *Kemp*, 4523–33, 4621–3, 5898.

(ii.) Steward or Bailiff of:

Presides over the Court Leat for the Corporation as *quasi* lord of the manor, *Monckton*, 2652–5.

Appointed by Court of Aldermen, *Monckton*, 2648–51.

The office is held by the secondary, the duties are nominal, *Roderick*, 7969–81.

(iii.) Coroner for:

Office held by the City coroner, *Harrison*, 971–81.

SOUTHWARK BRIDGE:

Purchased and maintained out of revenues of Bridge House Estates under recent Acts, *Gomme*, 3933–64; *Kemp*, 5207–18, 5983; *Rotton*, 536; *Payne*, 6727, 6831.

SPITALFIELDS MARKET:

Established under charter of Charles II., *Kemp*, 4977–86.

STAFF:
(i.) *Of Corporation, &c.* *See* OFFICERS.
(ii.) *Head of:*
Comparative advantages of permanent and elective. *See* HEAD OF STAFF.

STAGE CARRIAGES. *See* HACKNEY AND STAGE CARRIAGES.

STEPNEY UNION:
Parishes included in, *Costelloe*, 13,977.
Rating authorities in, *Dickinson*, 1228.

STOKE NEWINGTON:
Recently separated from Hackney for local government purposes, *Dickinson*, 13,652; *Costelloe*, 13,962–4; *Munsey*, 13,380–5.

STRAND, THE, DISTRICT BOARD OF WORKS:
Evidence on behalf of. *See* ANDREWS.
Area under control of, *Andrews*, 12,373–83.

STRAND UNION:
Parishes, &c. included in, *Costelloe*, 13,975; *Dickinson*, 13,630; *Bonthron*, 13,368–74; *J. E. Smith*, 12,154–61.
Rating authorities in, *Dickinson*, 1228.

STREET IMPROVEMENTS:
(*a.*) *In City:*
(i.) The Commissioners of Sewers are the principal authority, mainly under Michael Angelo Taylor's Act and the City Sewers Act of 1848 as regards re-building, *Rotton*, 477–81. Their expenses come out of rates, *Rotton*, 528. *See also* SEWERS, COMMISSIONERS OF.
(ii.) The Common Council has also powers under the City Improvement (Private) Act, 1847, *Rotton*, 490. This primarily related to Cannon Street Improvement, but became a model Act, *Rotton*, 490–4. Their expenses come from Corporation funds, *Rotton*, 528.
(iii.) The County Council has power under Metropolitan Building Acts, *Rotton*, 483–5.
(iv.) Assent of quarter sessions required to stop right of way, *Rotton*, 498–506.
(*b.*) *Outside City:*
(i.) The County Council has authority under Metropolis Local Management Act, 1885, s. 144, *Rotton*, 508, 509; also under 25 & 26 Vict. c. 102. s. 74 power to set back projecting buildings when taken down to an extent exceeding one half, *Dickinson*, 1182–93. It has no powers under Michael Angelo Taylor's Act, *Dickinson*, 1198.
(ii.) Vestries and district boards have concurrent powers under Michael Angelo Taylor's Act, generally with consent of Council; extent of compulsory powers, *Rotton*, 510–27; *Dickinson*, 1198–1202.
(iii.) Assent of quarter sessions required to stop right of way, *Rotton*, 506.
Up to its extinction the Metropolitan Board of Works always contributed half the cost of all improvements carried out by the local authorities, but the County Council has discontinued this practice, thus preventing many useful improvements, *J. E. Smith*, 12,209–25; *Dewey*, 11,649, 11,650; *Weaver*, 11,225–43; *H. J. Smith*, 11,734, 11,735.
The central authority should be obliged to contribute to all except purely local improvements, *Weaver*, 11,225–40.

STREETS, CLOSING OF, FOR REPAIRS. *See* HIGHWAYS OTHER THAN MAIN ROADS (iii.).

STREETS, DIVERSION OR PERMANENT CLOSING OF. *See* HIGHWAYS OTHER THAN MAIN ROADS (iv.).

STREETS, NAMING AND NUMBERING OF:
Duty of, both in or outside City, rests with County Council, *Dickinson*, 1412, 1413. *See under* VESTRIES, &c., 5.

SURVEYOR, THE CITY:
(i.) *Evidence of.* *See* MURRAY, Mr. ANDREW.
(ii.) *Duties of:*
Enumeration of the various duties, *Murray*, 7904–19; 7950–1.

SURVEYORS, DISTRICT. *See under* VESTRIES (ADMINISTRATION OF THE BUILDING ACTS), C. 5; HARRISON, E. 22, *and* LONGSTAFF, 7, 8, *and* 17.

TAGG, Mr. CHARLES WILLIAM, Vestry Clerk of Camberwell.

ANALYSIS OF EVIDENCE.

CAMBERWELL VESTRY:

Constitution and functions of.

Camberwell has a population of 250,000, an acreage of 4,342, and a rateable value of 1,320,000*l.* It includes three Parliamentary divisions, 10,688–93. The vestry consists of 84 members besides the vicar and churchwardens, the vicar will cease to be chairman after November 1894, under the Local Government Act, 1894, 10,694–8. There are six wards, and application has been made to the County Council to increase the number. Penge, which for certain poor law purposes is in Croydon, and for school board purposes in Greenwich, is tacked on to the Dulwich division of Camberwell for county council purposes, the county having a special assessment committee for it, 10,699–704. The vestry is elected in thirds every year, the contests are on political grounds and keenly fought, 10,705–6. The vestry clerk has been made clerk to every authority in the parish except the guardians of the poor, viz., the Assessment Committee, the Trustees of Charitable Estates, the Commissioners of Public Libraries and Baths, and the Burial Board; the Libraries rate has to be ministerially approved by the vestry, 10,706, 10,720–34. Camberwell has considerable charitable estates, which are administered by a special committee under local Acts, 10,707–8. It has also a large interest in, and elects two governors of, the Dulwich estates, Alleyn having settled in the parish on his retirement from the stage, 10,709. There are five standing committees of the vestry, of which one deals with educational endowments, including Dulwich College, Camberwell Grammar School, the School of St. Mary Datchelor (a City charity) and others, 10,710–9. The vestry employs its own workmen for making sewers, scavenging, &c., 10,735–52.

Local Bodies, functions, &c. of.

It would be well to unite in one body all the functions now exercised by the several bodies to which witness is clerk, so that they could be exercised by committees of the one body. It is not, however, necessary to establish a Corporation for Camberwell, 10,754–5.

Relations with Central Body.

The relations of the vestry with the County Council are generally good, but some duties, such as the administration of the Shop Hours Act and Weights and Measures Acts, the Petroleum and Locomotive Acts, and the Infant Life and Wild Birds Protection Acts, technical education, the regulation of slaughter-houses and cow-sheds, and the inspection of factories to some extent might well be entrusted to the local authority as they are in an ordinary municipality, especially if it were re-organised as suggested, 10,756–63, 10,776–86, 10,849–52. It would be preferable that these should be original powers of the local authority (vestry), rather than powers delegated to it by the central body (county council), 10,764–70. Witness does not think that the inspectors would be unduly subject to local influences, but there is some risk of it, 10,778–86, and it might be well that their removal, as well as their appointment (as at present) should be subject to the approval of the Local Government Board or some other central authority, 10,862–5. Witness hopes to see a General Education Board for all London, for both primary and secondary education, one Poor Law Authority, &c., 10,771–6. The relations of the vestry with the County Council might be closer if the county councillors for Camberwell were also *ex officio* members of the vestry, at present one vestryman is on the County Council, which is found very convenient, 10,787–96.

Resolutions passed by Vestry of Camberwell.

Resolutions were passed by the vestry last year in favour of a reform of the government of London by—
(i.) strengthening the central body by the absorption of the City, and giving it extended functions as regards police, &c., 10,797–807;

TAGG, MR. CHARLES WILLIAM, EVIDENCE OF—*cont.*

(ii.) consolidating into one body the various local authorities exercising functions in Camberwell, 10,808–11. The name of the local body should be altered from "vestry" to "district council," or something of the kind, 10,812–6. The office of chairman should be dignified in some way. He might be called mayor, so as to induce good men to serve, 10,817–21;

(iii.) creating and consolidating similar central and local authorities for (*a*) Poor law matters, (*b*) education, primary and secondary. It was thought better that these two functions should be entrusted to separate bodies, rather than to the central and district councils dealing with municipal affairs, 10,822–9;

(iv.) re-adjusting the incidence of local taxation in London, so that the cost of government might be equitably distributed over the whole area, and over all sections of the community. At present the vestries are only responsible for a fraction of the rates which they collect, but they are credited with the expenditure of all, 10 per cent. has to be added to the nominal rate for empties, cost of collection, &c., 10,829–39. Camberwell would have benefited to the extent of 5*d.* in the £ under the Equalization of Rates Bill, 10,840–2.

Clerkenwell Conference.

A conference is now being held at St. Luke's, Clerkenwell, convened by that vestry, to consider a scheme for the equalization of all rates, under which St. Luke's would be largely benefited, 10,843–4. Witness does not approve of such a scheme, as it would tend to extravagance in local expenditure, 10,845. There might be two rates, a central one, uniform for all London, for services common to the whole town, and a local one for local purposes, or the central body might, as now, give a contribution to the localities in respect of common services, 10,846–8.

Byelaws.

Witness would approve of the central authority making bye-laws for buildings, &c. for the local authority to enforce, so as to keep the practice uniform throughout London, 10,853–5.

Interference with Rates of Wages.

A short time ago the Camberwell Vestry petitioned the House of Commons, as against the County Council, in favour of allowing a tramway company liberty as to the number of hours to be worked by its employés, 10,856–62.

TECHNICAL EDUCATION:

Authority for:

County Council, over the whole metropolis, *Dickinson*, 1067–70.

The duty might be entrusted to the local authorities, *Leete*, 13,357–92; *Harris*, 13,070; *Tagg*, 10,763–76.

TEMPLE:

Excluded from ordinary parochial government and the city under Metropolis Management Act. 1855, *Rotton*, 11.

Rating authorities for, *Dickinson*, 1228.

THAMES BRIDGES:

Freed from toll out of proceeds of coal and wine dues, *Rotton*, 536, 550–61; *Dickinson*, 1203–5.

Control of (except of London, Blackfriars, Southwark, and Tower Bridges, which are in the hands of the Corporation) entrusted to County Council, *Rotton*, 544–91; *Dickinson*, 1203–5; *Bridgman*, 1674–81.

THAMES CONSERVANCY:

Representation of City and County Council on, *Harrison*, 8831, 8832, 8941–59.

THAMES, THE RIVER:

The Corporation controls the river to the abutments of the London bridge, the bed belongs to the Thames Conservancy, and the foreshore above the City to the Crown, *Brand*, 7860–9.

THEATRES AND MUSIC HALLS:

The County Council regulates structurally, *Longstaff*, 13,766; *Dickinson*, 1415–9.

LICENSING OF:

In City:

The Lord Chamberlain licenses theatres, the County Council music halls, *Dickinson*, 1415–25.

Outside City:

The Lord Chamberlain is the licensing authority for theatres in Westminster, Finsbury, Marylebone, the Tower Hamlets, and Southwark, and the County Council in the rest of London. Music halls are licensed in all cases by the County Council, *Dickinson*, 1418–25.

TOWN CLERK:

1. *Of City of London:*

Powers and duties and evidence of. *See* MONCKTON.

2. *Of Nottingham, Liverpool, &c.:*

(*a.*) Evidence of. *See* JOHNSON.

(*b.*) Position and duties of, *Johnson*, 9542–875; *Pritchard*, 12,104–28; *Clare*, 10,317–23.

TOWER BRIDGE:

Cost of construction of, met by loan charged on Bridge House Estates and on general estates of the Corporation, *Antrobus*, 13,025, 13,026; *Gomme*, 3953–64; *Kemp*, 5207–18.

TRADE, BOARD OF. *See* BOARD OF TRADE.

TRAMWAYS:

(*a.*) *In City:*

The Common Council is authority, *Rotton*, 405. It has so far successfully opposed all schemes for tramways within City, *Rotton*, 407–10, 417.

(*b.*) *Outside City:*

The County Council is authority to approve schemes and purchase tramways, *Rotton*, 406–15. It has unsuccessfully promoted scheme for tramways over Westminister Bridge, *Dickinson*, 1160–1.

Vestries and district boards as road authorities have to approve of mode of construction on roads, subject to appeal to Board of Trade, *Rotton*, 406–416; *Dickinson*, 13,489.

TREASURY:

Burial Board Loans subject to approval of, *Rotton*, 456–8.

County Council Finance, especially *Loans*, controlled by, *Rotton*, 743–807; *Dickinson*, 1245–79.

Is ultimate authority as regards the registration of births, deaths, and marriages, *Dickinson*, 13,532–4.

TROPHY TAX:

Levied in the City every three years by the Commissioners of Lieutenancy for the support of the City of London Militia, *Kemp*, 6123; *Harrison*, 890.

It should cease, *Harrison*, 9092–8.

UNHEALTHY AREAS. *See* HOUSING OF THE WORKING CLASSES (i.).

UNHEALTHY DISTRICTS. *See* HOUSING OF THE WORKING CLASSES (ii.).

UNIONS. *See* POOR LAW UNIONS.

UNITED WESTMINSTER SCHOOLS. *See* CORPORATION, 7 (vii.).

VACCINATION ACTS:

Authorities under:

The guardians over the whole of London, *Dickinson*, 13,531.

This duty might be transferred to the local authorities. *See* VESTRIES, &c., C. 2. *b.*

VALUATION. *See under* RATES *and* RATING AUTHORITIES.

VESTRIES AND DISTRICT BOARDS.

A. Generally.
1. Constitution.
2. Duties and Powers.
3. Acquisition of Land.
4. Rating.
5. Borrowing.

B. Vestries (not District Boards).
C. Reconstitution of Local Authorities (Proposals for).
D. Conferences and Meetings held as to Local Government Reform.
E. Evidence relating to Particular Vestries, District Boards, &c.

A. 1. Constitution:

(i.) *Mode of Election:*

The Vestries are elected by the parishioners rated to poor relief; each voter has one vote for each vacancy; the numbers vary as the population in multiples of 12, subject to maximum of 120, *Rotton*, 64–9; one-third of vestrymen retire each year; preference of this to triennial election of all, *Dewey*, 11,521–8; *Westacott*, 13,158–65; *Cohen*, 12,699–727; *but see Holland*, 11,920–8; *Leete*, 10,641–50; *Antrobus*, 12,961–33. The larger parishes manage their own affairs, minor parishes are grouped together under a district board elected by the several vestries from their own bodies, *Rotton*, 70–2; *Dickinson*, 1087–103.

The Local Government Act, 1894, has altered the electorate by—

(i.) combining the Parliamentary and County Council registers;

(ii.) abolishing nearly all the qualifications for candidates, &c., and removing the disqualification of married women to vote at county elections; and

(iii.) applying to vestry elections the provisions of the Ballot Act and Corrupt Practices Act, *Dewey*, 11,390–406. *See* Local Government Act, 1894.

(ii.) *Qualification of Vestrymen:*

Candidates must be rated to poor relief upon rent of not less than 40*l.*, and must occupy house or land in parish; where only one-sixth of total assessments reaches 40*l.*, a rating on 25*l.* rent is qualification, *Rotton*, 76, 77.

(iii.) *Number of Vestries:*

There are (1893) 26 vestries and 13 district boards, *Rotton*, 89; *Dickinson*, 1122–3.

(iv.) *Existing local areas:*

Population and divisions of various parishes, *Costelloe*, 13,956–90.

Proposals as to their redistribution, *ib.*

2. Duties and Powers:

The vestries and district boards are the authorities outside the City for—

(1.) *Alkali Works:*
Regulation of.

(2.) *Electric Lighting:*
(County Council also having powers), *Dewey*, 11,408–12; *Dickinson*, 1435, 1436.

(3.) *Factories and Workshops Act:*
Administration of, *Dewey*, 11,407.

(4.) *Gas:*
They appoint examiners in case of four small companies, *Dickinson*, 1207.

(5.) *Highways other than Main Roads:*
(*a.*) Maintenance of.
(*b.*) Locomotive traffic on, regulation of.
(*c.*) Tramways on (as road authorities), *Rotton*, 302; *Dewey*, 11,406–8.

(6.) *Hospitals* (except infectious hospitals):
Provision of, *Dickinson*, 13,489.

(7.) *Housing of the Working Classes:*
Control over unhealthy dwellings under Secretary of State, and, in some cases, Local Government Board, as central authority, County Council having also powers, *Rotton*, 265–75; *Dewey*, 11,407; *J. E. Smith*, 12,141.

VESTRIES AND DISTRICT BOARDS—*cont.*

A. 2. Duties and Powers—*cont.*

(8.) *Infectious diseases, notification of, Dickinson*, 1398–403.

(9.) *Mortuaries:*
Obligation on vestries and district boards under Public Health Act, 1891, to provide, either separately or two or more together, under arrangement approved by County Council, *Rotton*, 462–4; County Council may also provide for unidentified bodies.

(10.) *Open Spaces:*
Vestries and district boards may acquire by gift or otherwise, and maintain, County Council having also powers, *Rotton*, 388; *Dewey*, 11,408–12.

(11.) *Overhead Wires:*
Under byelaws framed by County Council, *Leete*, 13,222–5.

(12.) *Public Libraries:*
Vestries and district boards appoint commissioners of, *Rotton*, 429–32; *Dewey*, 11,408–12.

(13.) *Sale of Food and Drugs Act:*
Administration of, *J. E. Smith*, 12,141; *Dewey*, 11,407; *Leete*, 13,254; *Antrobus*, 12,977.

(14.) *Sanitary Administration and Control:*
Vestries and district boards are local authorities, subject to general control of Local Government Board and, to a certain extent, of County Council, which may make byelaws and regulations about offensive trades and certain nuisances, and act in certain cases in default, either with or without authority of Local Government Board, *Rotton*, 222–44; *Dewey*, 11,407; *J. E. Smith*, 12,141.

(15.) *Sewers other than Main Sewers:*
Under regulations issued by County Council, which may declare sewers to be main sewers and assume the responsibility of maintaining them, *Rotton*, 232, 233, 245–54; *Dewey*, 11,406–8; *J. E. Smith*, 12,141.

(16.) *Smoke Prevention:*
Holland, 11,974; *Dickinson*, 13,513, 13,514.

(17.) *Street Improvements:*
Under Michael Angelo Taylor's Act, 1817, with consent of County Council, which has also original powers, *Rotton*, 508–12.

(18.) *Tramways:*
On highways other than main roads, as road authorities, under Board of Trade, *Rotton*, 411; *Dewey*, 11,406–8.

Works:
Many vestries carry out their own works, not resorting to contractors, *Dickinson*, 1370.

A typical vestry (*e.g.*, Islington) is practically—

a. A board of works controlling the roads and footpaths, lighting, drainage, removal of refuse, &c., its consent being also necessary for the introduction of schemes for tramways, electric lighting, &c., *Dewey*, 11,406–8.

b. It also is the local authority for administering the Public Health (London) Act, 1891, the Housing of the Working Classes Act, the Sale of Food and Drugs Act, and Factories and Workshops Act; and as such looks after unhealthy dwellings, unwholesome food and noxious trades, the prevention of disease, analysis of food, removal of nuisances, and the proper drainage, ventilation, &c., of buildings, *Dewey*, 11,407.

c. It has the rating powers of overseers, prepares valuation lists, collects rates and compounds with owners for payment, &c., and through its Assessment Committee finally settles the assessment originally prepared by itself as overseers. As it also exercises the powers of overseers and churchwardens, whom it appoints over disorderly houses, the preparation of the borough and county lists of voters, and the administration of local charities, *Dewey*, 11,408.

VESTRIES AND DISTRICT BOARDS—*cont.*

A. 2. *Duties and Powers of a typical Vestry*—cont.

d. It also has powers under the Burial Acts, Free Libraries, Baths and Washhouses and Open Spaces Acts, and over electric lighting, tramways, locomotives, &c., *Dewey*, 11,408–12.

e. It appoints, fixes pay of, dismisses and controls the whole of the staff, except the Medical Officer of Health, who can only be dismissed by consent of the Local Government Board, *Dewey*, 11,428.

3. Acquisition of Land:

Vestries and district boards have power under Michael Angelo Taylor's Act (1817) to take land compulsorily for widening and improvement of streets, controlled only by Local Government Board for default under Public Health Act, 1891, *Rotton*, 637–45.

4. Rating Powers:

(i.) *Assessment:*

Quinquennial revaluation made by overseers (generally by vestries under Local Acts) subject to alteration from time to time by supplementary and provisional lists, *Rotton*, 646, 647. Appeal from overseers to assessment committee of union (parish) and to justices in quarter sessions, *Rotton*, 648–57.

(ii.) *Levying and Collection:*

Sewer, lighting, and general rates, including sanitary rate, levied and collected like poor rate, but separately from it, different allowances being made as regards arable and other open lands, public buildings, &c. Other rates (county, poor, school board, police, &c.) collected at the same time, *Rotton*, 729–32. Vestries can rate separately any part of parish benefited by prevention of flood works, to cover expenses of such works, *Dickinson*, 1292–4.

5. Borrowing Powers:

Vestries and district boards can borrow under section 183 of Metropolis Management Act, 1855, on mortgage of rates, with consent of County Council, for specified purposes. They generally borrow from County Council (q., v.), not in open market, *Rotton*, 781–5; *Dickinson*, 1251–6.

B. Vestries (not District Boards).

Assessment:

Powers of overseers generally vested in vestries under local Acts, with appeal to assessment committee and quarter sessions, *Rotton*, 648–57; *Dewey*, 11,408.

Baths and Wash-houses:

Commissioners of, appointed by, *Rotton*, 359–62; *Dewey*, 11,408–12; consent of Local Government Board necessary for loans to, *Rotton*, 363.

Burial Boards:

Appointed by, under general control of Secretary of State, consent of Treasury necessary for loans to, *Rotton*, 456–8: *Dewey*, 11,408–12.

C.—Re-constitution of Local Authorities, proposals for.

1. *The Local Authorities as Municipalities:*

The establishment of local municipalities would do away with the present lack of interest in local government, *Fraser*, 13,836–53.

There should be established a certain number, to be fixed after local investigation, of district municipalities with mayors, aldermen, and councillors, popularly elected, *Antrobus*, 12,887–92: *Fraser*, 13,809; they should be corporations as defined by the Municipal Corporations Act, but they should have no aldermen, *Boulnois*, 12,547–56; they should control areas and populations of 200,000 to 300,000, *Antrobus*, 12,947–53. The councillors should be elected triennially (annually, *Cohen*, 12,616–37), and the aldermen, elected by (i) the ratepayers, or (ii) the councillors every six years, *Antrobus*, 12,954–73. The county should be divided into large municipal districts with mayors, aldermen, and councillors, each ward should return one aldermen and a number of councillors in proportion

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 1. *The Local Authorities as Municipalities*—cont.

to its population and rateable value, the former for six years and the latter for three, and the mayor should be chosen from the aldermen and councillors qualified to serve the office, *Harris*, 13,065–8, 13,072–87, 13,098, 13,099. The mayor should be chosen from the aldermen; the aldermen should be elected by their wards for six years and be justices of the peace during their term of office, *Cohen*, 12,611–5; 12,699–727. The municipalities should be constituted on the model of the City Corporation, the aldermen should be magistrates, *Fraser*, 13,863–85.

The vestries would not be satisfied with the empty titles of municipalities, they want the powers, *Leete*, 10,598–631, 10,673, 10,674. There should be from seven to 12 municipalities, *Fraser*, 13,890–918. There should be six or eight municipalities in London, West Ham to be one; a possible inconvenience might arise were one of these to consist of all rich and another of all poor, but this could be got over by practically making them district councils under a central body with equalised rates, *Angell*, 11,327–53. The smaller vestries should be grouped to form separate municipalities, *Leete*, 10,594–7; *Fraser*, 13,822; the boroughs should coincide with the present parliamentary boroughs, *Leete*, 10,654–63. Impossibility of a number of municipalities in London, *Costelloe*, 13,989, 13,990.

A resolution, in favour of creating a municipal corporation for Westminster, passed by the vestry of St. Margaret and St. John, was rejected on reference to its committee on the grounds that there should be a central authority to deal with matters such as the fire brigade, main drainage, police, &c., *J. E. Smith*, 12,203–7. Present condition of West Ham as a municipality, *Angell*, 11,310–43. The name "municipal corporation" is better than district council or vestry, *Antrobus*, 12,974, 12,975. West Ham should be in the position of other local bodies, *Dickinson*, 13,673–82.

2. *The Local Authorities as District Councils:*

(*a.*) The local bodies should be District Councils, *Dewey*, 11,447. *Dickinson*, 13,670–2. *H. Smith*, 11,742–6. *J. Smith*, 12,203–7. *Tagg*, 10,812–6. *Holland*, 11,904–11, subordinate to a central authority, having original and delegated powers, *Weaver*, 11,186–8.

Their areas should be (i) the present Parliamentary divisions, *Andrews*, 12,387–450, (ii) the poor law unions districts, 30 in number, *Westacott*, 13,176; *Dickinson*, 13,630–9, (iii) a modification of such districts, *Costelloe*, 13,947–88; *Weaver*, 11,284–300. The areas for the local bodies should be the existing parishes under Schedule A. or districts under Schedule B of the Metropolis Local Management Act, *Bonthron*, 13,379–99. The Local Government Board should have power of fixing boundaries, &c., *Harrison*, 9052.

(Recent subdivision of some larger districts, *Dickinson*, 12,652–62; *Bonthron*, 13,379–430).

The status of the local bodies might be improved by (i) amplifying their powers, *Weaver*, 11,307, 11,308, (ii) creating some of the members aldermen, and then Justices of the Peace during their term of office, *H. J. Smith*, 11,737–41, and (iii) calling the chairman mayor, *Dickinson*, 13,670–2; *Dewey*, 11,447; *J. E. Smith*, 12,207–8; *Tagg*, 10,817–21; *Westacott*, 13,173. He might be a magistrate during his year of office. *Dickinson*, 13,670–2.

They are too large in numbers (from 40 to 60 would be the best number, *Dickinson*, 13,639–42), and they should be called anything but vestries; their members should be elected one-third annually; there should be no aldermen, but as much work as possible should be given them, *Westacott*, 13,158–72.

The local areas need revision, some are too large, others too small for good work, *Weaver*, 11,289–300; *Leete*, 10,651–4; *Holland*, 11,895–904; *Whale*, 12,318–23; *Dickinson*, 13,620–9; *Costelloe*, 13,945–90. In dealing with areas, existing local centres of activity should be

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 2. *The Local Authorities as District Councils*—cont.

preserved, *Costelloe*, 13,947–9. The unions would, on the whole, form the best areas for local government, *Dickinson*, 13,630–9; *Costelloe*, 13,969–74. Proposals as to the redistribution of the various parishes, so as to leave about 40 areas suitable for vestry representation, *Costelloe*, 13,985–8.

(*b.*) The functions exercised by various local bodies, viz., the baths and library commissioners, burial boards, churchwardens (except as regards church affairs), poor law guardians, overseers, as regards assessment, vaccination, and preparation of jury lists, registrars of voters, and of births, marriages, and deaths, school board, should be exercised by committees of the local body (vestry, district council, &c.), *Antrobus*, 12,998, 12,999; *Bonthron*, 13,352–61, 13,400, 13,401; *Boulnois*, 12,575–8; *Harris*, 13,068–71; *Holland*, 11,912–20; *Leete*, 10,559; *Robinson*, 11,816–20; *J. E. Smith*, 12,235–44, 12,267–81; *Tagg*, 10,726–34; *Westacott*, 13,181; by doing this the number of elections would be conveniently reduced, *Fraser*, 13,819–38; in the matter of assessments and charities the central body should have some control, *Dickinson*, 13,629.

The Local Government Act, 1894, transferred, by order of Local Government Board, to Municipal Corporations generally the rating powers of overseers, *Clare*, 10,469–70.

Officers:

Proposed pension scheme for officers of the local bodies, *Weaver*, 11,260–83, 11,276–9; *Wheeler*, 11,354–61. There should be a quasi municipal Civil Service, *Wheeler*, 11,362–77.

Election:

One election might serve both for the central and local bodies, *Dewey*, 11,503–20. It would be better to keep them separate, *H. J. Smith*, 11,730–3.

The local bodies should be triennially elected, so as to arouse public interest, but its election should not be contemporary with that of the central body, *Holland*, 11,921–34; *Dickinson*, 13,642–63. There should be the same qualification for electors for both bodies, *Dickinson*, 13,650–2. Annual election of one-third is preferable, *Dewey*, 11,521–8.

3. *Relations between the Local and Central Authorities.*

These might be improved by making members of the central body *ex officio* members of the local body for whose district they are elected, or by making the chairman of the local body *ex officio* member of the central, *Dewey*, 14,499–520; *Dickinson*, 11,668, 11,669; *Holland*, 11,943–7; *Leete*, 10,632–50; *H. J. Smith*, 11,712–29; *J. E. Smith*, 12,188–93; *Tagg*, 10,787–96; *Westacott*, 13,209–14; *Whale*, 12,362–7; the chairman of the local body should be, *ex officio*, an alderman of the central body, this is preferable to the foregoing suggestions, *Bonthron*, 13,362–76. The aldermen of the central body might be the deputed representatives of the local bodies, *Antrobus*, 12,892–5. This would be unsatisfactory, *Dickinson*, 13,664–5, the local chairman would be the best representative, *Dickinson*, 13,666–8.

4. *Redistribution of functions between the Central and Local bodies.*

As much power should be given local bodies as is consistently possible, so as to attract the best man to the work, and to relieve the pressure on the central body, which should have a general control by making byelaws, &c., *Costelloe*, 13,988; *Longstaff*, 13,696–9; *Dickinson*, 13,487, 13,488.

(i.) *As to Byelaws.*

The local authorities should have larger original powers than at present, subject to byelaws framed by the Local Government Board in preference to the London County Council, *Dewey*, 11,474–85. Byelaws might be settled by the Local Government Board, after consulting the central and local authorities, or by the central authority, with power of appeal from the local authorities to the Local

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 4. *Redistribution of the work of the Central and Local Bodies*—cont.

(i.) *Byelaws*—cont.

Government Board, *Dewey*, 11,495–7; or by the local authority subject to the same control, *Robinson*, 11,831–5; *Westacott*, 13,207–132. The central authority should frame the byelaws and control all matters common to all London, *H. J. Smith*, 11,747–56, 11,764–79, and should be able to step in in cases of default, *Robinson*, 11,841–4. The Council should have the fullest possible powers in making byelaws, and acting in default, *Dickinson*, 13,616; *J. E. Smith*, 12,252–59.

(ii). *Functions proposed to be exercised by the Central Authority.*

The central body should deal with all matters common to all London, *Boulnois*, 12,515; 12,579–86; *Holland*, 11,996–9; *Cohen*, 12,649, 12,727–37; *Robinson*, 11,841–4; *Dickinson*, 13,488.

Artizans' dwellings, *Holland*, 11,996–9; *Dickinson*, 13,489.

Bridges. In and outside the City, *Cohen*, 12,649, 12,727–37. *Andrews*, 12,451–9. *Holland*, 11,996–9; *Harrison*, 8853–4.

Building Acts, administration of the. *See under* 5.

Common Lodging-houses, Registration and Inspection of:

Now exercised by the police, but should, and probably will, be exercised by the central body, *Dickinson*, 13,530, 13,531.

Cowhouses and Dairies, inspection of, *Harrison*, 8822; *Dickinson*, 13,505, 13,506. *See also* (iii).

Embankments, *Holland*, 11,996–9; *Dickinson*, 13,448, 13,489.

Explosives Acts, administration of, *Dickinson*, 13,507–9; *Harrison*, 8939.

Fire Brigade, for all London, *Andrews*, 12,451–9; 12,649; 12,727–37. *Holland*, 11,996–9; *Harrison*, 8822.

Food and Drugs Act, administration of, *Andrews*, 12,451–9.

Gas supply, control of, *Robinson*, 11,841–55; *Holland*, 11,996–9; *Harrison*, 8939.

Hackney Carriages, *Holland*, 11,996–9.

Housing of the working classes, *see* ARTIZAN'S DWELLINGS.

Improvements, Metropolitan, *Andrews*, 12,451–9; *Weaver*, 11,225–43; *Harrison*, 8864–9.

Infant life protection, *Dickinson*, 13,514; *Harrison*, 8939.

Licensing

Offensive businesses, *Dickinson*, 13,493–6, 13,513; *Harrison*, 8822.

Slaughter houses, *Dickinson*, 13,501–5; *Harrison*, 8822.

Lunatic Asylums, *Dickinson*; 13,489. *Holland*, 11,996–9; *Harrison*, 8964.

Main drainage, *Andrews*, 12,451–9; *Robinson*, 11,841–55; *H. Smith*, 11,747–79; *Holland*, 11,996–9; *Harrison*, 8822.

Main thoroughfares:

Contribution to maintenance of, *Weaver*, 11,189–224; *Harrison*, 8822.

Markets, central, *Holland*, 11,974–90, 11,996–9; all Markets, *Harrison*, 8849; *Dewey*, 11,668–70. Deptford and Islington Markets only, *Cohen*, 12,759–85.

Open Spaces, *Cohen*, 12,649, 12,727–37; *Harrison*, 8853–6.

Parks, *Holland*, 11,996–9; *Harrison*, 8822.

Petroleum Acts, administration of, *Dickinson*, 13,507–9; *Harrison*, 8822.

Police, *Andrews*, 12,451–9; (in City only), *Harrison*, 8843–5, 8898–902.

Port Sanitary Authority, *Harrison*, 8537, 8853.

Rating, general control, *Holland*, 12,000–3; *Harrison*, 8822.

Reformatory Schools, *Holland*, 11,996–9; *Harrison*, 8822.

Sewers, local, byelaws for their construction, *Andrews*, 12,439–45; *Harrison*, 8822.

Tramways, *Dickinson*, 13,489; *Holland*, 11,996–9; *Harrison*, 8822.

Tunnels, Thames, *Holland*, 11,996–9.

Unemployed, dealing with the, *Robinson*, 11,841–4.

Water supply, control of, *Dickinson*, 13,491–3; *Robinson*, 11,841–55; *Holland*, 11,996–9.

Weights and Measures, *Andrews*, 12,451–9; *Harrison*, 8822.

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 4. *Redistribution of the work of the Central and Local Bodies—cont.*

(iii). *Functions proposed to be exercised by the Local Authorities.*

Artizans' dwellings. *Cohen*, 12,836–54.
[Only small schemes of clearing could be carried out by local bodies, *Dickinson*, 13,489.]
Assessment (Overseers), *see* C. 2 (*b.*).
Bands, *Cohen*, 12,638–9.
Baths and Washhouses, *see* C. 2 (*b.*).
Building Acts, administration of the, *see under* 5.
Burial Boards, functions of, *see* C. 2 (*b.*).
Churchwardens, functions of, *see* C. 2 (*b.*).
Children, prevention of cruelty to and protection of, *Leete*, 13,329–32.
Cleansing streets, *Andrews*, 12,460–71.
Coal, sale of, *Whale*, 12,340–8; *Harris*, 13,070; *Antrobus*, 12,979–88.
(The absence of local influence is necessary, *Dickinson*, 13,522–4.)
Common Lodging-houses—
(i.) registration of, *Whale*, 12,340–8, with appeal to the central body, *Holland*, 11,954–74.
(ii.) inspection of, *Westacott*, 13,177–80.
(This should not be with local bodies. It will probably shortly be transferred to the County Council, *Dickinson*, 13,530–13,531.)
Contagious Diseases (Animals), *Whale*, 12,340–8.
Coroners, appointment of.
(The local authorities should not appoint coroners, as the districts do not coincide, *Dickinson*, 13,489.)
Coroners' Courts, provision of, *Westacott*, 13,177–80.
(The local bodies ought already to provide these, but very few do, *Dickinson*, 13,489.)
Cowhouses and Dairies, inspection, &c. of, *Harris*, 13,068–71; *H. J. Smith*, 11,767; *Westacott*, 13,177–80; *Whale*, 12,340–8; *Dewey*, 11,667; *J. E. Smith*, 12,252; *Holland*, 11,954–74; *Tagg*, 10,759.
(They are probably better in the hands of the central authority, but the case is not very strong if the local authorities worked under byelaws framed by it, *Dickinson*, 13,505–6.)
Disorderly houses, suppression of, *Holland*, 11,957.
Electric Lighting, *Leete*, 13,327–9; *Harris*, 13,070.
Explosives, *Harris*, 13,068–71; *H. J. Smith*, 11,769; *Whale*, 12,340–8; but *see also Dickinson*, 13507–9.
Factories, inspection of, *Harris*, 13,070; *Whale*, 12,340–8; *Tagg*, 10,763; *but see Dickinson*, 13,614–5.
Floods, Prevention of, *Holland*, 11,957–9.
(This could best be done by the central body, *Dickinson*, 13,488–9.)
Game, dealers in, licensing of, the central body being the ultimate authority, *J. E. Smith*, 12,252.
Highways, other than main roads.
Housing of the Working Classes. *See* Artizans' Dwellings.
Hospitals, Control over, *Holland*, 11,956.
(Vestries have power to establish hospitals; the Metropolitan Asylums Board provide infectious hospitals for all London, this should continue, *Dickinson*, 13,531.)
Improvements. *See* Street Improvements.
Infant Life Protection, *Harris*, 13,068–71; *Holland*, 11,968–74; *Whale*, 12,340–8; *Tagg*, 10,759–63; *Westacott*, 13,178–9; *Antrobus*, 12,997.
(This could hardly be efficiently done locally, *Dickinson*, 13,514.)
Jury lists, preparation of, *see* C. 2 (*b.*).
Libraries, Public, *see* C. 2 (*b.*).
Lighting, *Andrews*, 12,460–71.
Locomotive traffic, regulation of, *Tagg*, 10,759.
Lodging-houses, common. *See* Common Lodging-houses.
Main roads, maintenance of. *See* C. 6.
Markets, local, *Dickinson*, 13,534–7; *Holland*, 11,974–90.
(The Islington Vestry could not well deal with Islington Market, all markets should be under the central authority, *Dewey*, 11,668–70.)
Offensive businesses, *Harris*, 13,068–71, *Whale*, 12,340–8.
(This is better left to the central body, *Dickinson*, 13,513–13,514.)
Open Spaces, small, *Cohen*, 12,638–9; *Holland*, 11,959–68; *Harris*, 13,070.
(The London County Council is willing to hand them over if the local bodies will undertake the responsibility, *Dickinson*, 13,489.)

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 4. *Redistribution of the work of the Central and Local Bodies*—cont.

(iii.) *Functions to be assigned to Local Authorities*—cont.

Overhead wires. Under byelaws of the central body, *Leete*, 13,219–56.
Paving, *Andrews*, 12,460–71.
Petroleum Acts, administration of, *Harris*, 13,068–71; *H. J. Smith*, 11,769; *J. E. Smith*, 12,278–81; *Whale*, 12,340–8; *Tagg*, 10,759, *see also Dickinson*, 13,507–9.
Poor Law Guardians. *See* C. 2 (*b.*).
Prevention of Floods. *See* Floods, Prevention of.
Rating Overseers. *See* C. 2 (6).
Registration of—
(i.) Births, Marriages and Deaths, *Dickinson*, 12,532–4; *Holland*, 11,956; *J. E. Smith*, 12,267–81.
(ii.) Voters, *Harris*, 13,068–71. *See also* C. 2 (*b.*).
Roads, closing for repairs, *Andrews*, 11,426–33; *Antrobus*, 12,989–99; *Cohen*, 12,638, 12,639; *Harris*, 13,070; *H. Smith*, 11,764–7; *Holland*, 11,991–5; *Dewey*, 11,649–60; *Westacott*, 13,177–80; *but see Dickinson*, 13,525–30.
Sanitary administration generally, *Andrews*, 12,451.
Sewers, branch, *Andrews*, 12,460–71; *Boulnois*, 12,575–8.
Shop hours, *Harris*, 13,070; *Leete*, 13,329–32; *Tagg*, 10,776–84; *Westacott*, 13,177–80; *Whale*, 12,340–8.
(The power might be exercised by local bodies, but there is the fear of local influence in prosecutions, *Dickinson*, 13,524–5.)
Sky signs, *Boulnois*, 12,575–8; *H. Smith*, 11,767; *Whale*, 12,340–8; under byelaws of the central body, *Leete*, 13,219–56.
See also C. 5 (*Administration of the Building Acts*).
Slaughter-houses, *Antrobus*, 12,989; *H. J. Smith*, 11,767; *Whale*, 12,342; *Boulnois*, 12,575–8; *Dewey*, 11,667; *J. E. Smith*, 12,252; *Harris*, 13,068–71; *Holland*, 11,956; *Tagg*, 10,759; *Westacott*, 13,177; under byelaws of the central body, *Dickinson*; 13,496–500, *Leete*, 13,293–4.
Small Holdings, *Harris*, 13,070.
(The County Council has only exercised the powers given them in 1892, in East End districts, where local bodies would have never have taken it up because of the expense, *Dickinson*, 13,489–91.)
Streets, naming and numbering of. *See under* C. 5.
Technical Education, *Harris*, 13,070; *Leete*, 13,257–92; *Tagg*, 10,763–76, *but see Dickinson*, 1067–70.
Vaccination, *Dickinson*, 13,531–2; *Holland*, 11,956–7; *J. E. Smith*, 12,267–81.
Washhouses. *See* Baths and Washhouses.
Water Supply, as regards quality; further powers, *Leete*, 13,322–6.
(The central body should control the supply, *Dickinson*, 13,491–3.)
Weights and Measures, *Antrobus*, 12,977; *Cohen*, 12,840–50; *Harris*, 13,070; *Leete*, 13,228–56; *J. E. Smith*, 12,252–67; *Westacot*, 13,177–80; *Tagg*, 10,776, 10,784.
(Uniformity and the absence of local influence is very necessary, *Dickinson*, 13,514–22.)
Wild Birds, protection of, *Tagg*, 10,784–6.
Working Classes, Lodging Houses for.
See "Artizans' Dwellings."

5. Building Acts, Administration of the.

(i.) *Generally.*

Inconvenience of the present administration of the Building and Sanitary Acts, *Weaver*, 11,307–8; *Dewey*, 11,622–49; *Robinson*, 11,816–30; *Whale*, 11,349–57.
The local bodies should have the whole administration of the Building Acts, under byelaws to be framed by the central authority and subject to an appeal to it, *H. J. Smith*, 11,747–79; *Holland*, 11,954–74, 11,996–9; *J. E. Smith*, 12,177–82; *Leete*, 10,564–83, 13,219–56.
The functions of the district surveyor (under the Acts) should be in the hands of the local authority with appeal to the central authority, *Holland*, 11,912; *J. E. Smith*, 11,252–86. The central authority should make byelaws for the local authorities to enforce, and there should be power of appeal to the former, *Tagg*, 10,853–5; *J. E. Smith*, 12,177–82.
The local bodies should administer parts of the Acts, *Harris*, 13,068–71.

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 5 (i.) *Administration of the Building Acts generally*—cont.

Comments on this, *Dickinson*, 13,589–66.

If the administration of the Acts were given to local bodies, the quality of the work might suffer, but their importance and functions might be increased so as to relieve the pressure on the central body, *Longstaff*, 14,152–60.

Suggestion that a permanent Commission appointed by the Government should manage the administration, *Longstaff*, 14,161–6.

Work of the Building Committee of the Council, *Longstaff*, 14,166–71.

(ii.) *In detail.*

(1.) *The Formation and Width of new Streets.*

The local bodies should be the authority for this purpose, *H. J. Smith*, 11,747–79.

Anyone may lay out new streets if they comply with the requirements of the Building Acts, the Council only interferes in cases of attempted evasion, *Dickinson*, 13,592.

This should be controlled by the central body as streets are not confined to one local area and a desire to increase the rateable value might lead local bodies to consent to too narrow streets, *Longstaff*, 13,700–1.

(2.) *Building within Prescribed Limits.*

The same arguments apply in this case, the absence of local influence is desirable, *Longstaff*, 13,701–8.

(3.) *Line of Building Frontage.*

The power to take proceedings where the line was exceeded was left to local authorities under the Metropolis Management Act, 1362. They allowed so many projections that concurrent power was given the Metropolitan Board of Works by the amending Act of 1878, and in consequence of the tardiness of the local bodies the County Council generally now takes proceedings at once, *Longstaff*, 13,709–10.

The Council is anxious to preserve open space and is influenced by æsthetic considerations, and thus is very rigid in enforcing the law, but always considers the views of the local bodies, *Longstaff*, 13,714–32.

People now apply to the Council for permission to build over the line so as to save future proceedings, *Longstaff*, 13,711–3.

Vestries should have power to allow projections over the line of frontage, *Whale*, 12,340–8; *J. E. Smith*, 12,177–82. Vestries attach more importance to additional rateable value gained than to the preservation of open spaces, *Dickinson*, 13,589–92.

(4.) *Numbering and Naming of Streets.*

(i.) *Naming.*

The local bodies should be the authority for this purpose, *Boulnois*, 12,575–8, *Leete*, 10,559–673; 13,295–300; *Tagg*, 10,756–852. The central authority or the Postmaster-General might exercise veto, *Leete*, 13,295–300; *H. J. Smith*, 11,747–79; 11,780–8; *Dewey*, 11,649–60.

It would be inconvenient for the local bodies to have this power, *Dickinson*, 13,611.)

To avoid duplication of names this must rest with the central body, the local bodies are consulted as regards renaming and the owners or builders as regards new streets, *Longstaff*, 13,733–7.

(ii.) *Numbering.*

The local bodies should be the authority for this purpose, *H. J. Smith*, 11,749–79; *Dewey*, 11,649–60; *Cohen*, 12,638–9; *Leete*, 10,597; 13,295.

For convenience of record, &c., this should be with the central body; the local bodies are always consulted, *Dickinson*, 13,611; *Longstaff*, 13,737–44.

(5.) *Open Spaces about Buildings.*

There must be some central control; the local bodies might exercise the power under regulations of the central, *Longstaff*, 11,743–54.

(6.) *Height of Buildings.*

The same as before applies in this case, *Longstaff*, 11,755–60.

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 5 (ii.) *Administration of the Building Acts*—cont.

(7.) *Construction of Buildings.*

This is in the hands of the district surveyors, statutory officers appointed by and under some control of the County Council, and paid by fees, *Longstaff*, 11,761–3, 13,793–802; *Dickinson*, 13,592, 13,601–11; *Leete*, 10,564–83.

No alteration in their position is proposed, *Longstaff*, 13,781.

Suggested alteration in their names, *Longstaff*, 14,146–52.

The functions of the district surveyor (under the Acts) should be in the hands of the local authority with appeal to the central authority, *Holland*, 11,912; *J. E. Smith*, 11,252–86; *Leete*, 10,564–83; *Whale*, 11,349–57; *Weaver*, 11,307, 11,308.

The administration of the building Acts could not be entrusted to the local surveyors at present as they lack the necessary knowledge, *Longstaff*, 11,763–5.

There may be some inconvenience from the fact that there are two authorities, the Council and the local authority, *Dickinson*, 13,593–600, but until the local surveyors are fully qualified they cannot undertake the whole administration, *Longstaff*, 14,128–37.

The matter is coming more into the control of the County Council; some parts are always allowed and some always refused, *Longstaff*, 11,765.

The powers of the district surveyor are stronger in the case of public buildings, *Longstaff*, 13,765–6.

The necessity of central control over the district surveyors, *Longstaff*, 13,767–71.

Powers of the superintending architect, *Longstaff*, 13,772–80.

There have been complaints as to the corruption of the district surveyors, but in only one instance (in the City) have they been substantiated, *Longstaff*, 13,782, 13793–5. Similar complaints are made against local surveyors and Government officials, *Longstaff*, 14,006–23.

(8.) *Special Buildings.*

Great technical knowledge is necessary and local surveyors as a rule do not possess this, *Longstaff*, 14,024–32, 14,133.

(9.) *Advertising Hoardings.*

By means of its powers over irregular buildings the Council restricts the height of hoardings; the local authorities which now rate them might be left to deal with them altogether under regulations of the central body, *Longstaff*, 14,033–42, 14,143.

(10.) *Sky Signs.*

No new signs are permitted and those at present erected will come down in five years' time (after when none will exist; if one letter falls the whole sign must be removed; to avoid local influence the control should be with the central body, *Longstaff*, 14,047–59.

(11.) *Temporary Buildings.*

Their construction should be under the same control as permanent buildings; their licensing under the local body supervised by the district surveyor, *Longstaff*, 14,060–4, 14,143; but *see Whale*, 12,340–8; *Harris*, 13,070.

(12.) *Neglected Structures.*

This might be left to local authority, *Longstaff*, 14,065–8, 14,142–3; *Whale*, 12,340–8.

The power is best with the central body, *Dickinson*, 13,611–4.

(13.) *Dangerous Structures.*

Procedure in reporting and condemning such buildings, *Longstaff*, 14,069–78, 14,083–93.

This might be left to the local body, but the central body has a special staff to deal with it, *Longstaff*, 14,070–82, 14,145.

(14.) *Administration of the Factory Acts as regards Prevention of Fire.*

The present work of administration, *Longstaff*, 14,094–6.

The Act must be worked with discretion, and the accumulation of precedents would be more easy with the central than local bodies, *Longstaff*, 14,095–105.

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 5 (ii.) *Administration of the Building Acts*—cont.

(14.) *As regards Factories*—cont.

The administration should be in the hands of the body least susceptible to local influence, *Dickinson*, 13,614–6.

(15.) *Legal Proceedings.*

These are better left to the Council, which has a staff of solicitors who specialise the work, than to the local bodies who could keep no such staff, *Longstaff*, 14,106.

There are two independent tribunals to decide appeals, on test cases, from the Council's decision; their constitution and powers, *Longstaff*, 14,113–23, 14,137–41.

Appeals should be dealt with by the central body, *Holland*, 11,996–9.

(16.) *Byelaws.*

The central authority has, and should have, power to issue regulations, &c., so as to secure uniformity in the work of the local bodies, *Longstaff*, 14,124–5; *Tagg*, 10,853–5; *J. E. Smith*, 12,177–82; *Dickinson*, 1456.

6. *Improvements, Roads, Thoroughfares, &c.*

The central body should contribute towards the maintenance of all main thoroughfares: the power of declaring roads to be main roads should be vested jointly in the central and local bodies, with an appeal to the Local Government Board; the work of maintenance should rest with the local bodies, *Weaver*, 11,189–224; *but see also Dewey*, 11,661–3; *H. J. Smith*, 11,734–5; *J. E. Smith*, 12,209–25.

The central authority should bear the cost of improvements on main roads, and contribute towards others benefiting the Metropolis at large, and the local authority should bear the cost of and control purely local improvements; if these arrangements were made improvements would be more readily carried out, *Weaver*, 11,225–43; *Holland*, 11,996–9; *Dewey*, 11,649.

The central authority should not share the control over small local improvements, but only those to which it contributes, *Dewey*, 11,649.

Present arrangements between the central and local bodies, *Dickinson*, 13,416.

7. *Sewage and Drainage.*

The work of the local bodies should be assimilated under general byelaws of the central body, framed after consultation with local bodies, *Weaver*, 11,244–59; *Whale*, 11,358–61.

The vestries could do the work in connection with nuisances, water-closets, &c., under the Public Health (London) Act, 1891, *Dewey*, 11,663–7.

8. *Finance.*

Each rating body should make a precept direct upon the district councils, and the latter should make a separate rate in respect of each, *Dewey*, 11,478.

The incidence of local taxation should be re-adjusted, so that the cost of government is fairly distributed all over London, but this might possibly encourage extravagance, *Tagg*, 10,829–45.

There might be two rates, one for metropolitan and the other for local purposes, *Tagg*, 10,846–8.

As regards assessment and taxation, the central authority should have general control, *Holland*, 12,000–3.

The local bodies should send in their budgets to the central body, which should make an equalised rate for all London, and a local one for local purposes, the Local Government Board should be the final authority, *Dickinson*, 13,617–29.

9. *Borrowing Powers.*

Control over the borrowing powers of vestries should rest with the Local Government Board, not the County Council, or the former should be the ultimate authority. Vestries should be able to borrow in open market without interference from the London County Council (or the central authority for the time being), and the latter should be obliged to lend if the Local Government Board approved, *Dewey*, 11,551–619, 11,622*a*, *see Andrews*, 12,400–448; *Cohen*, 12,640–9; *Leete*, 13,301–20. Serious delays are caused by the present system, *Robinson*, 11,841–4; but *see J. E. Smith*, 12,183–6; *Dickinson*, 13,545–80; *Tagg*, 10,755.

The Treasury or the Local Government Board should be the sanctioning authority, or the County Council

VESTRIES AND DISTRICT BOARDS—*cont.*

C. 9. *Borrowing Powers*—cont.

with the Local Government Board as final authority, *Leete*, 13,301–321.

Vestries and district boards having obtained the sanction of the County Council, may borrow in the open market, or from the Council; they generally now go to the London County Council, because it is cheaper and more convenient, *Cohen*, 12,650–69. The vestries' power of borrowing from the County Council is advantageous to both, there is occasional friction over sanctioning loans, *Dickinson*, 13,545–9. Limits of currency of loans imposed by the County Council and the Local Government Board, *Dickinson*, 13,547–67.

The Council acts on the advice of its expert officers and finance committee, *Dickinson*, 13,568–80.

D. Conferences and Meetings held as to Local Government Reform.

1. By the vestry of Camberwell, as to absorption of the City by the central council, consolidating local matters, creating and consolidating similar central and local authorities, and re-adjusting local taxation, *Tagg*, 10,797–839.
2. At Clerkenwell, as to equalisation of rates, *Tagg*, 10,843–4.
3. At Chelsea, as to the establishment of district councils, *Leete*, 10,559–673; *Holland*, 11,880–94, 11,911; *Costelloe*, 13,949–54.
4. By St. Pancras vestry; a scheme for arranging the work of the central and local bodies, *Westacott*, 13,174–5.
5. By Westminster (St. Margaret and St. John) Vestry, in favour of separate municipalities and of amalgamating the various bodies, viz., library commissioners, baths and washhouses commissioners, &c., in the districts, *J. E. Smith*, 12,203–7, 12,235–6.

E. Evidence relating to particular Vestries, District Boards, &c.

Camberwell Vestry, *see* Tagg.

Chelsea Vestry, *see* Holland.

Incorporated Institution of Municipal and County Engineers, *see* Weaver, G. R. Wheeler, and Angell.

Islington, St. Mary's Vestry, *see* Dewey.

Kensington, St. Mary Abbott's Vestry, *see* Leete and J. W. Wheeler.

Lambeth Vestry, *see* H. J. Smith.

Lee District Board, *see* Whale.

Shoreditch Vestry, *see* Robinson.

Strand District Board, *see* Andrews.

Westminster, St. James' Vestry, *see* Bonthron, Winnett, Munsey, and Keevil.

Westminster, St. Margaret's and St. John's Vestry, *see* J. E. Smith.

VICE-CHAIRMAN OF THE LONDON COUNTY COUNCIL:

i. Evidence of, *see Harrison.*

ii. Functions of, *Harrison*, 8800–3.

WALTON-ON-THE-HILL, PROPERTY AT:

Acquired by Corporation out of proceeds of grain duty to give it a *locus standi* as regards the preservation of Banstead Downs, *Gomme*, 3651–72.

WANDSWORTH AND CLAPHAM UNION:

Parishes included in, *Costelloe*, 13,980–2.

Rating Authorities in, *Dickinson*, 1228.

WANDSWORTH DISTRICT BOARD OF WORKS:

Area under control of, recently separated from Battersea for Local Government purposes, *Dickinson*, 1123, 13,653; *Costelloe*, 13,980–2; *Munsey*, 13,380.

WARDS.

1. *Of City:*

Ancient divisions, 26 in number, comprising in some cases several parishes; boundaries altered from time to time, *Rotton*, 35–7. Governed by wardmote under presidency of alderman of ward, election of alderman by ward, *Rotton*, 29–38. Common Councilmen also elected by ward, *Rotton*, 47–51. Number of representation of each ward may be altered by Common Council, *Rotton*, 52–7. Rates levied as a rule by wards, *Rotton*, 39, 46, 659–68, 693–5. *See also* COMMON COUNCIL, COURT OF.

WARDS—*In the City*—cont.

There are ward schools (elementary) in almost all the wards supported by endowments and voluntary contributions from the citizens, *Bridgman*, 1947–50.

Powers and Duties of Aldermen in:

Aldermen have great influence in their wards; connexion much closer than in other towns, *Monckton*, 2731–6.

The aldermen summon the wardmotes in their wards on the Lord Mayor's precept to elect the Common Councilmen and beadle, *Monckton*, 2766–74.

The wardmote has no coercive powers, but can only pass resolutions; it has no power to levy special rates or to spend money. Wardmote expenses come out of the police rate, *Monckton*, 2775–91, 2792–4.

The aldermen have two deputies in the wards who can take their place on all occasions, except at the annual election, *Monckton*, 2795–6.

The committees of the Corporation are nearly all ward committees, consisting of six aldermen (serving for four years), and 29 commoners, one from each ward or side of ward; there are about 24 such committees, *Monckton*, 2797.

[Special committees consist of from 10 to 15 members, *Monckton*, 2798.]

Readjustment of City Boundaries:

Farringdon Ward was split in two in the reign of Richard II., this Act was confirmed by Parliament, though it could have been done by Common Council alone, *Monckton*, 2468–71. From the time of Richard II. the City has had jurisdiction within its walled area and within a certain distance over the liberties outside that area, *Monckton*, 2474–5. Since the number of wards was fixed in Edward VI.'s time, there have been one or two extensions of the outside wards, but there has been no readjustment of wards within, *Monckton*, 2472–82.

2. *Of Parishes outside City:*

Power of County Council to divide a parish into wards on the application of the parish, but not to re-divide, *Dickinson*, 1119–21, 1124, 1125. Basis of division, *Dickinson*, 1094–1103; *Gomme*, 1104–18.

WARDMOTE, *Rotton*, 38. *See* WARDS.

WARD RATE:

In City levied with police rate by Corporation, *Rotton*, 696–704; *Monckton*, 2775–94; *Kemp*, 4881–98.

WARD'S CITY OF LONDON SCHOOL FOR GIRLS:

Foundation of, *Kemp*, 5545–55.

See also CORPORATION, 7.

WARD'S PEOPLE'S RECREATION GROUND (KILBURN PARK):

Origin of, *Kemp*, 5373–81; *Gomme*, 4073–7.

WASH-HOUSES, COMMISSIONERS OF. *See* BATHS AND WASH-HOUSES.

WATER SUPPLY:

(In hands of private companies.)

First supplied to City by carriers, then by conduits; both being inadequate, the London Bridge Water Works were established, afterwards superseded by the New River Company, *Kemp*, 5671–88.

Authorities for:

1. *As regards Constancy of Supply:*

(*a.*) *In City:*

Corporation under Local Government Board, *Bridgman*, 1906–8; *Rotton*, 316–25.

(*b.*) *Outside City:*

The County Council is the local authority, under Act of 1871; the Local Government Board, formerly Board of Trade, is the ultimate authority, *Rotton*, 316–25, 328–30.

(All water is supplied by private companies with districts allotted amongst themselves, *Rotton*, 319, 356, 357.)

2. *Purity:*

Tested by water examiner, appointed by Local Government Board, but paid by companies, *Rotton*, 326.

WATER SUPPLY—*cont.*

3. *Authorities as regards Accounts:*

Audited by auditor similarly appointed and paid, *Rotton*, 326.

The local authorities might be given further powers as regards quality, &c., *Leete*, 13,322–6. Comments on this proposal, *Dickinson*, 13,491–3.

No public body has statutory power to acquire water undertakings, *Rotton*, 331. Provisions of Public Health Act of 1875, relating to water, do not apply to metropolis, *Rotton*, 335.

Any control over companies resorting to new sources of supply (if allowed by their Acts) rests with Local Government Board as regards quality of water, *Rotton*, 336–49. Sinking fund created under recent Acts with view to ultimate purchase of water companies' undertakings, City Chamberlain is treasurer, *Rotton*, 351; *Bridgman*, 1906–8. Companies have no monopoly, *Rotton*, 353–7. Notice must be given to Corporation of sale of stock *Rotton*, 358. Vestries and district boards have power to sink wells for public purposes, and fix pumps for general use, but not to lay water on to houses, &c., *Dickinson*, 1157–9.

WEAVER, Mr. WILLIAM, Surveyor to the Vestry of St. Mary Abbott's, Kensington.

Analysis of Evidence.

Witness represents the Incorporated Institution of Municipal and County Engineers, 11,179–85.

1. *Central and Local Bodies.*—The government of London should be vested in one central authority, with subordinate district councils having powers both original and delegated by the central body, 11,186–8.

2. *Maintenance of Roads.*—The central authority should contribute towards the maintenance of all main thoroughfares, and not merely as at present to that of the roads disturnpiked since 1871, or constructed by it or its predecessors: what roads should be declared main thoroughfares should be settled between the central and local authorities, with an appeal in case of dispute to the Local Government Board, 11,189–210. The contribution of the central authority should be based upon the difference of cost per yard of maintaining a main thoroughfare and an ordinary local road, 11,211–6. The work of maintenance, &c. should continue to be executed by the local authority which, being on the spot, is in a position to do it better and cheaper than the central authority working from a centre, 11,217–24.

3. *Improvements.*—The cost of all improvements, such as widenings, on such main roads should be defrayed wholly by the central authority, which should also contribute towards the cost of such local improvements as are for the benefit of the Metropolis generally, the local authority paying altogether for purely local improvements, 11,225–40. The necessity for an improvement should be determined as now by Parliament, 11,227–8. At present the County Council may contribute towards the cost of an improvement if it sees fit, with the result that it and the local authorities are constantly quarrelling about the proportion to be borne by each. If this cause of contention were removed improvements would be more readily made, 11,240–3.

4. *Issue of Byelaws, &c.*—The administration of the local matters in the several areas should be assimilated, and the central body should issue general byelaws, in consultation with the local authorities, as it already has the power to do, laying down the general principles upon which drainage, &c. should be conducted, the size and materials of drains, &c., 11,244–59.

5. *Pensions.*—It should be made compulsory upon the several local authorities to give pensions to their officers, especially the surveyors and sanitary inspectors, on retirement after long approved service, instead of its being optional with them as now. An officer who has made himself unpopular with some of the vestrymen for enforcing the law in sanitary, &c. matters, may find himself refused a pension on retirement. Such cases have actually happened. There should also be an appeal to the Treasury or Local Government Board in cases of dismissal, 11,260–83. Pensions should also be

WEAVER, Mr. WILLIAM—*cont.*

reckoned on aggregate service under any metropolitan authority, the body last employing a man paying the whole, 11,276–9.

6. *Areas.*—The local divisions of London require re-arranging. Many parishes are too small for effective work, and might well be grouped: a population of about 200,000 would be a convenient unit: others, as Chelsea and Kensington, have out-lying portions, which should be put into the adjacent districts, 11,284–300.
7. The County of London should be enlarged by including places like Chiswick, Kew, Acton, Ealing, Willesden, &c., and even recently created boroughs like Richmond and West Ham, which are all really parts of London, 11,301–7.
8. *Powers of the Local Bodies.*—In any amendment of the government of London by the constitution of district councils the powers of the latter should be amplified, so as to attract a better stamp of man than the present average vestryman. They might be put more in the position of a provincial corporation, 11,307–8.
9. *Administration of the Building Acts.*—The administration of the Building Acts is so divided at present between the local and central authorities, and the district and vestry surveyors, as to cause infinite confusion. This should be remedied, 11,307–8.

WEIGHTS AND MEASURES ACT, 1889, ADMINISTRATION OF.

In City:

Transferred from the Court of Lord Mayor and Aldermen to the Common Council; the Commisioners of Sewers levy the rate, *Harrison*, 942.

Outside City:

County Council has absolute power; appoints inspectors to supervise sale of coal, &c., *Dickinson*, 1445, 1446. The duty might be transferred to the local authorities, *Cohen*, 12,840–50; *Harris*, 13,070; *Leete*, 13,228; *J. E. Smith*, 12,252–67; *Tagg*, 10,776, 10,784; *Westacott*, 13,177–80.

Comments on this proposal, *Dickinson*, 13,514–22.

WEST HAM:

Evidence:

(i.) Respecting school board rate, &c. in, *Angell*, 11,310–27; 11,329–43.

(ii.) Police arrangements in, *Johnston*, 8272–303.

(iii.) Drainage of ground into county council sewers: there would be some advantage in West Ham being included in the county of London, *Dickinson*, 13,673–82.

WEST HAM PARK.

Management of, *Harrison*, 8944.

WESTACOTT, Mr. THOMAS BENTLEY, a Member of the London County Council.

Analysis of Evidence.

Witness agrees that there must be a central body to deal with matters of a metropolitan character, and local independent bodies to attend to strictly local matters, 13,148, 13,149.

Constitution of the Central Body:

The councillors should be elected in a body every three years, as now, as an election is an expensive proceeding, and there should be no aldermen, 13,150–6, 13,167–9.

Witness prefers for the head of the staff of the central body a permanent town clerk rather than a paid member of the Council, which gives rise to jealousies, 13,202–6.

Constitution of the Local Bodies:

The local authority should combine all the functions now exercised by vestries or district boards, guardians or directors of the poor, burial boards, and commissioners of baths and libraries, 13,157. The number of members should be much less than the present maximum of 120. They should be elected as at present, one-third annually, as election of a vestryman (by a ward) is a much cheaper proceeding than election of a county councillor. Not much interest is now taken in vestry elections, as candidates generally cannot be

WESTACOTT, Mr. THOMAS BENTLEY—*cont.*

personally known, as in a provincial town, but it is hoped that under the recent Act it may be quickened, 13,158–65. There should be no aldermen, 13,170. Witness dislikes the title of vestry, but does not care otherwise what name the local body should bear, corporation, town council, or district council, only give it as much work and independence as possible, 13,171, 13,172. Witness would not object to the head of the local body being called mayor, 13,173.

The central body should have as little power as possible of interfering with the action of the local bodies, but it should be able to step in in cases of default, 13,207, 13,208. Witness would have no ex-officio members on the central body representing the local bodies, but would not object to the members of the central body for a locality being ex-officio members of the local body, in fact, it would be an advantage, 13,209–14.

Relations between the Central Body and the Local Bodies:

A conference convened by the Vestry of St. Pancras in 1885 passed resolutions in favour of (i) having a central body to perform the metropolitan duties then performed by the Metropolitan Board of Works and the City Corporation, with power to consider and propose schemes for absorbing similar general functions exercised by other bodies, such as the Metropolitan Asylums Board, and for dealing with the supply of water and lighting, by purchasing existing rights or otherwise, and of (ii) having local authorities exercising all local powers, including poor law administration, in its district; both bodies to be directly elected by the ratepayers, 13,174, 13,175. The best districts for the local bodies would be the existing poor law unions, 30 in number, 13,176. The local authorities might take over the powers now exercised by the County Council as regards licensing of cow-houses and slaughter-houses, the provision of coroners' courts, weights and measures, shop hours, closing of thoroughfares, the inspection of common lodging-houses, and various matters under the Building Acts, 13,177–80.

The City of London:

The City should be similarly treated, though it might be made somewhat more independent than an ordinary local authority, rather than less so, as proposed by the County Council, *e.g.*, as regards public libraries, 13,181–7. There should be one general rate all over London, including the City, 13,188, 13,189. The police in the City, as well as in the rest of London, should be under the management of the Home Office, and its county court, the City of London Court, should be under the same management as the other county courts, 13,190, 13,191. The local body for the City should be constituted and elected in the same way as the other local bodies, with a mayor and councillors only elected in thirds every year, 13,192–5. The Lord Mayor should be the head of the central body, and elected by it as representing the whole of London. His appanages and endowments should follow, 13,196–201.

WESTMINSTER:

1. *United parishes of St. Margaret and St. John*, Vestry of:
   (i.) *Evidence relating to.* *See* Smith, John Edward.
   (ii.) *Resolutions* as to local government, passed by vestry. *J. E. Smith*, 12,205–7, 12,235. 12,236.
   (iii.) *Area, &c.* of, *Costelloe*, 13,966–75; *J. E. Smith*, 12,130–44, 12,153–7; *Dickinson*, 13,630.
2. *Parish of St James,*
   (i.) *Evidence relating to.* *See* Bonthron, Winnett, Munsey, and Keevil.
   (ii.) *Area, &c.* of, *Bonthron*, 13,339, 13,340, 13,379–430; *Costelloe*, 13,975–7; *Dickinson*, 13,630.

WESTMINSTER, HIGH BAILIFF OF:

The High Bailiff is the officer of the Old court of Burgesses, and is unconnected with the Vestry. He acts as under sheriff and returning officer, *J. E. Smith*, 12,197–202.

WESTMINSTER BRIDGE:

Tramway over, promoted by London County Council, *Dickinson*, 1,160.

WESTMINSTER (UNITED) SCHOOLS. *See* CORPORATION, 7.

WHALE, Mr. G., Clerk and Solicitor to the Lee District Board of Works.

Analysis of Evidence.

The old Plumstead district has recently been divided. Plumstead itself (3,388 acres) being organised under a vestry, and the rest (7,000 acres) under the Lee District Board of Works. Part of the Lee district is still thinly populated, but the population is growing rapidly, it is now about 44,000, 12,282–96.

The Lee District Board of Works.

(i.) *Constitution, &c.*

The Lee district board consists of members elected by the vestries of various parishes, 33 in all, one-third retiring annually. The Act of 1894 will not alter this, 12,297–305. The board meets at Charlton fortnightly, at 6.30 p.m., 12,306–13.

(ii.) *Functions.*

It has the same functions as vestries, managing local sanitary matters, highways, sewers (except main sewers), enforcing the Public Health Act, 1891, and the Sale of Food and Drugs Act. The constituent vestries only elect the members of the district board, the overseers, and in some cases baths commissioners and a churchwarden, 12,314–7.

(iii.) *Areas.*

The areas overlap inconveniently and should be readjusted. The County Council might rearrange them, subject to the control of the Local Government Board, 12,318–23. If this were done the members of the district board or council might be elected directly, which would be desirable; it would be difficult to make the county council and parliamentary divisions coincide throughout with the natural divisions of watershed, &c., 12,324–31, 12,328, 12,329. Plumstead ought to be combined with Woolwich and Charlton as a riverside area, the rest remaining as an inland area by itself, or being combined with Lewisham, 12,332–7.

(iv.) *Relations with the County Council.*

Many of the minor functions of the County Council might be entrusted to the local authority, *e.g.*, as regards common lodging-houses, contagious diseases (animals), explosives and petroleum, slaughter-houses and cow-houses, offensive nuisances, infant life protection, projections over line of frontage, dangerous and neglected structures, licences for temporary buildings, sky signs, shop hours, factories, and sale of coal, with power to the County Council to make bye-laws, supervise generally, and in case of default to step in and charge their expenses to the local authority, 12,340–8. As regards buildings the district surveyor appointed by the Council now has to approve plans and supervise construction, while the local surveyor of the board looks after the drainage, which involves the deposit of two sets of plans. This is very inconvenient, especially as the district surveyor often lives out of the district and has only an office under a clerk in it. The duties of both should be combined in one surveyor under the district board, with power to the County Council to make byelaws, generally supervise as with medical officers, and step in in case of default, 11,349–57. There must be uniformity of byelaws in the several districts, *e.g.*, as regards the removal of offensive matter, 11,358–61. It would tend to closer relations between the local authority and the County Council, if the members of the latter were also *ex officio* members of the former. This might be arranged without much difficulty if the minor functions of the Council were transferred, as suggested, to the local authority, 11,362–7.

WHEELER, Mr. G. R. WELBY, Surveyor of the Vestry of St. Margaret's and St. John's, Westminster.

Analysis of Evidence.

Witness advocates the formation of an association from which all the officers of the local authorities in London should be selected, with a register of qualified surveyors to whom employment should be confined, a sort of municipal civil service, 11,354–61. An officer removing from the service of one authority to that of another, should carry his rights to pension with him, the last employer to pay all. This would equalize itself in the long run, and would not operate against transfers, or to reduce salaries, 11,362–77.

WHEELER, Mr. T. WHITTINBURY, Q.C. A member of the Vestry of St. Mary Abbott's, Kensington. Evidence of, *see under* LEETE, Mr. W. C.

WHITE, Mr. ERNEST WILLIAM, M.B., M.R.C.P., Medical Superintendent of the City of London Lunatic Asylum.

Analysis of Evidence.

The City of London Asylum.

Witness corroborates the Corporation statement as to the Asylum; recent improvements and additions, 7183–9. The cost of maintenance is 10*s.* 2*d.* a head per patient per week for food and establishment charges. The building and repairs fund is kept distinct, the cost of these falling on the City's cash, while the cost of maintenance of the City of London Union patients falls on the union, of the Corporation patients (unsettled) on the Corporation, 7190–2. The asylum has accommodation for 215 male and 240 female patients. It is nearly full now; but of the 452 present inmates 20 are chargeable to unions and parishes outside the City, and 45 are private paying patients, who were first received in 1892. On an average 71 pauper patients are admitted annually, mostly coming from the City of London Infirmary, 7193–6. The recovery rate is good, being over 52 per cent., as compared with 40 per cent. for England and Wales generally. This is due mainly to the limited size of the asylum, which gives scope for more individual discrimination and treatment. The death-rate is also comparatively low, though it varies a good deal. 1893 was exceptional, owing to influenza, 7196–207. The visiting committee consists of four aldermen and eight commoners appointed by the Common Council. It held 45 meetings in 1893, 7208, 7209. The Lunacy Commissioners report very favourably of the asylum, 7209, 7210.

WHITECHAPEL UNION:

Parishes included in, *Costelloe*, 13,978.
Rating authorities in, *Dickinson*, 1228.

WILD, Mr. JAMES ANSTEY, Registrar of the City of London Court.

Analysis of Evidence.

The City of London Court.

The Registrar and High Bailiff of the Court are not subject to annual re-election, 7739–42. Witness was appointed Registrar in 1889. Was a solicitor, and is now a barrister, 7743, 7744. The procedure and fees of the City of London Court are those of a county court, with a special jurisdiction under the Act, 7745–50. The business and receipts of the Court are steadily increasing, the latter being considerably in excess of the expenses, so that the Court is a valuable possession to the City, 7751–7, 7772. Any complaints made against the Court would be carefully considered, and remedied, if possible; but none are received, 7758. The judge has hitherto been appointed by the Corporation, but in future he will be appointed by the Crown, under the Local Government Act, 1888, 7759, 7760. Section 185 of the County Court Act, 1888, safeguarded the rights and privileges of the Corporation in the Court, 7769, 7770. The Registrar is still appointed, and accountable to, and removable by, the Corporation, 7763.

WILD, Mr. JAMES ANSTEY, Evidence of—*cont.*

The Court, which is a separate building at the Guildhall, was recently rebuilt, and is now being enlarged to meet increase of business under the Companies Winding-up Act, &c., 7760, 7761, 7768–72. Special privileges given by the Court to plaintiffs preserved by the County Court Act, 1888, 7764–7.

WILD BIRDS PROTECTION ACT:

The County Council is the authority under. The duty might be entrusted to the local authorities, *Tagg*, 10,784–6.

WILSON'S LOAN CHARITY. *See under* CORPORATION, 7.

WINNETT, Mr. WILLIAM:

A member of the Vestry of St. James, Westminster. Evidence of, *see* Bonthron.

WOOLWICH FERRY:

Byelaws for regulation of, made by Council, *Dickinson*, 1228.

WOOLWICH LOCAL BOARD OF HEALTH:

Only local board in administrative county of London elected under Public Health Act, 1848, and continued by Metropolis Management Act, 1855, *Rotton*, 213–8; *Dickinson*, 1122. *See also Whale*, 12,332–7.

WOOLWICH UNION:

Parishes, &c. included in, *Costelloe*, 13,985.
Rating authorities in, *Dickinson*, 1228.

WORKING CLASSES, HOUSING OF. *See* HOUSING OF THE WORKING CLASSES.

WORKING CLASSES' LODGING-HOUSES. *See* HOUSING OF THE WORKING CLASSES (iii.).

WORKS, COMMISSIONERS OF. *See* POLICE COURTS (2).

YOULE, Mr. HENRY FREDERICK.

Analysis of Evidence.

Witness is clerk of the special sessions, clerk to the justices, and clerk to the visiting committees of the City of London Lunatic Asylum, and of Newgate and Holloway Prisons, the former duties being the more laborious, 7130, 7131, 7175.

City of London Lunatic Asylum.—The Common Council is the local authority in respect of lunacy in the City, the duty having been transferred to it from the justices, under the Local Government Act, 1888, 7132, 7139, 7140. The City Asylum is at Stone, near Dartford. It was completed in 1861 at a cost of 77,000*l.*, defrayed out of the City's cash, as the cost of subsequent additions has also been, 7133, 7134, 7143–9. A rate was originally contemplated to meet the cost of building, but strongly opposed by the citizens, and not enforced, 7148–7149. The asylum is supported partly by contributions received from the board of guardians of the City of London Union, who pay for the pauper patients chargeable to the union, and partly out of the City's cash for the maintenance of wandering lunatics who have no settlement in the City, 7135. The latter expenses (which amount to from 1,200*l.* to 1,600*l.* a year), might be defrayed by a rate, 7136–9.

Licensing and other Sessions.—The general annual licensing sessions for new licences and renewals, are attended by the seven Aldermen forming the Licensing Committee; for transfer sessions there is a rota of six Aldermen to ensure an attendance of at least two, 7150–7. Applications for new licences are often contested. The police are usually represented to answer inquiries as to the character of a house in cases of transfer, &c.; but they rarely oppose the grant of new licences, 7158–63. The number of licences is in process of reduction, and a new licence is hard to get, 7164–9. The sessions are held about 15 times a year, 7170, 7171. Appeals lie against the decisions of the justices to quarter sessions, but there are very few of them, 7172–4. The figures and statements in the Corporation Blue Book (pp. 22–30) are accurate, 7175–81.

TABLE A.

AUTHORITIES SHARING THE GOVERNMENT OF LONDON.

(*a.*) *In the different Areas.*

(*b*) *For the several Purposes.*

(*a.*) *In the different Areas.*

(A.) For Administrative County of London, including County of City of London and County of London, *Harrison*, 8630–41.

1. County Council. *q.v.*
2. School Board, *Angell*, 11,309–17, 11,331–6.
3. Metropolitan Asylums Board (except Penge).

(B.) For (County of) City of London, *Harrison*, 8630–3.

1. Corporation, viz., Lord Mayor, Aldermen, and Commonalty, acting through—
   - (i.) Court of Aldermen. *q.v.*
   - (ii.) Court of Common Council. *q.v.*
   - (iii.) The Court of Quarter Sessions (Lord Mayor and Aldermen with the Recorder) and Justices. *q.v.*
2. Court of Common Hall.
3. The Sheriffs.
4. The Commissioners of Lieutenancy.
5. Commissioners of Sewers, who also act as Burial Board. *q.v.*
6. Commissioner of City Police. *q.v.*
7. The Lord Mayor's Court. *q.v.*
8. The City of London Court. *q.v.*
9. The Vestries of the several Parishes, who have power to adopt the Baths and Washhouses Act.

(C.) For County of London, viz.:—
Administrative County of London (exclusive of City), *Harrison*, 8680–91.

1. Justices, in or out of Quarter Sessions. *q.v.*
2. Standing Joint Committee of Justices and County Council.
3. The Sheriff.
4. The Lord Lieutenant.

(D.) For Minor Areas included in County of London.

- (i.) Burial Boards (elected by Vestries of several Parishes). *q.v.*
- (ii.) Commissioners of Baths and Washhouses (elected by Vestries of several Parishes). *q.v.*
- (iii.) Commissioners of Public Libraries (elected by Vestries or District Boards). *q.v.*
- (iv.) District Boards (elected by Vestries of Minor grouped Parishes). *q.v.*
- (v.) Vestries of the several Parishes. *q.v.*
- (vi.) Benchers of Inns and other authorities in extra-parochial places mentioned in Schedule C. of the Metropolis Management Act, 1855.
- (vii.) Guardians.
- (viii.) Overseers.

(E.) For other Areas.

- (i.) Central Criminal Court (District, as defined by the Act 4 & 5 Will. 4. c. 36. s. 2., comprises the whole of Middlesex and Administrative County of London, Mottingham, in Kent, Barnes, Mortlake, Kew, Richmond, Merton, and Wimbledon, in Surrey, and Barking, East and West Ham, Ilford, Leyton, Walthamstow, Wanstead, Woodford, and Chingford, in Essex), *Rotton*, 129; *Dickinson*, 1181; *Harrison*, 8641–55.
- (ii.) Commissioners of Her Majesty's Works.
- (iii.) Commissioner of Metropolitan Police (Police District, including any Place or Parish which lies wholly 15 miles of Charing Cross, and any Place or Parish a part of which is within 12 miles of Charing Cross, except the City), *Harrison*, 8644–55; *Rotton*, 122–35; *Dickinson*, 1142–5; *Bradford*, 10,964, 10,965. *q.v.*
- (iv.) Lord Chamberlain (Licensing Authority for Theatres).
- (v.) Hackney Carriages, Licensing Authority for. (Commissioner of Metropolitan Police). (Metropolitan Police District and the City of London.)
- (vi.) Markets, Authority of. Corporation have sole right to establish within seven miles from City Boundaries, *Rotton*, 435, 436; *Harrison*, 855; *Dickinson*, 13,534–7.
- (vii.) Metropolitan Police Courts, with their Stipendiary Magistrates, *Rotton*, 171; *Kemp*, 5988–6007.
- (viii.) Racecourses, Licensing Authority for, *Dickinson*, 1420–5. (Ten miles from Charing Cross.)
- (ix.) River Lee Conservancy.
- (x.) River Thames Conservancy.

(*b.*)—*For the several Purposes.*

Purpose.	City.		Rest of London.	
	Primary.	Ultimate.	Primary.	Ultimate.
Alkali Works, Regulations of.	Commissioners of Sewers	Local Government Board.	Vestries and District Boards.	Local Government Board.
Artizans' Dwellings. *See* Housing of the Working Classes.				
Assessment - -	Union Assessment Committees (acting through the Overseers in the first instance).	Special Assessment Sessions (as regards valuation of hereditaments). General Assessment Sessions (appeals affecting totals).	Assessment Committees of unions or of several parishes not in union, acting through overseers (*except in Penge*). *Penge*. Assessment Committee of Croydon Union for poor rate; County Council for county rate. *Dickinson*, 1004.	Special and General Assessment Sessions. *Penge*. Appeal to Quarter Sessions of Surrey for poor rate; appeal to Quarter Sessions of London for county rate.
Baths and Washhouses	Vestries may adopt Act, *Dickinson*, 1160.	Local Government Board. *Rotton*, 359.	Vestries (*not* District Boards). *Rotton*, 359–62.	Local Government Board, in respect of loans. *Rotton*, 363.

TABLE A.—AUTHORITIES SHARING THE GOVERNMENT OF LONDON—*cont.*

Purpose.	City.		Rest of London.	
	Primary.	Ultimate.	Primary.	Ultimate.
BRIDGES	Corporation, *Rotton*, 529–33; *Dickinson*, 895–7.		County Council. *Rotton*, 544–9; *Dickinson*, 895–7, 13,488; *Harrison*, 914.	——
BUILDINGS, REGULATION OF: (i.) *New Buildings*	County Council, *Rotton*, 285–9; *Harrison*, 855; *Dickinson*, 876–81.		County Council. *Rotton*, 285–9; *Harrison*, 855; *Dickinson*, 13,494, 13,592; *Weaver*, 11,307; *Longstaff*, 13,761–800, 14,133.	——
(ii.) *Dangerous Buildings.*	Commissioners of Sewers, *Rotton*, 290–4; *Harrison*, 855, 874–5.		County Council. *Rotton*, 290–4; *Harrison*, 855; *Dickinson*, 13,494, 13,611–4; *Longstaff*, 14,069–93.	——
(iii.) *Dilapidated Buildings.*	County Council, *Dickinson*, 876–81.		County Council. *Harrison*, 835, 874, 875; *Dickinson*, 876–81, 13,494, 13,611–4; *Longstaff*, 14,065–8, 14,142, 14,143.	——
CARRIAGES, HACKNEY AND STAGE. *See* HACKNEY AND STAGE CARRIAGES.				
CEMETERIES AND MORTUARIES: (i.) *Cemeteries*	Commissioners of Sewers. *Rotton*, 455; *Bridgman*, 1583–9.	Secretary of State. *Rotton*, 455; *Bridgman*, 1583–9.	Burial Boards appointed by Vestries of several Parishes. *Rotton*, 456–8; *Dickinson*, 1164–72.	Secretary of State, and Treasury as regards loans. *Rotton*, 456–8 *Dickinson*, 1164–72.
(ii.) *Mortuaries*	Commissioners of Sewers. *Rotton*, 462–5.		County Council (for unidentified bodies) and Vestries and District Boards, either separately or in Unions formed with consent of County Council. *Rotton*, 462–4.	——
COAL, SALE OF. *See* WEIGHTS AND MEASURES ACT.				
COMMON LODGING HOUSES, REGULATION OF.	Commissioners of Sewers. *Rotton*, 279.		Commissioner of Metropolitan Police. *Rotton*, 280. [It is in contemplation to transfer this to the County Council, *Holland*, 11,976–8; *Dickinson*, 13,530, 13,531.]	Secretary of State. *Rotton*, 280.
COMMONS AND OPEN SPACES: (i.) *Commons*	County Council. Corporation under private Act of 1878 may acquire and hold commons outside the County of London and within 25 miles of the City, *Rotton*, 375.		County Council. *Rotton*, 375–8.	——
(ii.) *Open Spaces*	Corporation, *Rotton*, 379–81.		County Council and Vestries and District Boards. *Rotton*, 385–92; *Dickinson*, 1297, 13,489.	——
CONTAGIOUS DISEASES (ANIMALS) ACT, ADMINISTRATION OF.	Corporation; the Commissioners of Sewers being the rating authority. *Harrison*, 855; *Dickinson*, 1332–4; *Kemp*, 5035.	Board of Agriculture. *Kemp*, 5035.	(a) *Home animals.* County Council. *Dickinson*, 1326. (b) *Foreign animals.* Corporation, which owns Deptford Market. *Harrison*, 855; *Dickinson*, 1327–31; *Kemp*, 5146.	—— Board of Agriculture. *Kemp*, 5146.
CORONERS: (i.) *Appointment and Payment of.*	Corporation. *Dickinson*, 965–7.		(i.) County Council pays all, and appoints all, except in Westminster, Southwark, the Tower, and the Savoy. *Dickinson*, 965–81, 1325, 13,489.	——
(ii.) *Provision of Courts for.*	County Council		(ii.) County Council. *Rotton*, 463; *Dickinson*, 13,489.	——

TABLE A.—AUTHORITIES SHARING THE GOVERNMENT OF LONDON—*cont.*

Purpose.	City.		Rest of London.	
	Primary.	Ultimate.	Primary.	Ultimate.
COWHOUSES, LICENSING OF.	Commissioners of Sewers. *Dickinson*, 1428–31.	- - -	County Council. *Dickinson*, 1426–31, 13,505, 13,506.	——
CRUELTY TO CHILDREN, PREVENTION OF.	County Council - -	- - -	County Council. *Leete*, 13,329–32; *Dickinson*, 1456.	——
DAIRIES, REGISTRATION AND INSPECTION OF.	Common Council -	Local Government Board. *Dickinson*, 1432.	County Council. *Dickinson*, 1431, 1432, 1456, 13,505, 13,506.	Local Government Board. *Dickinson*, 1432.
DANGEROUS BUILDINGS. *See* BUILDINGS, REGULATIONS OF.				
ELECTRIC LIGHTING -	Commissioners of Sewers. *Dickinson*, 1436.	Board of Trade. *Dickinson*, 1436.	County Council, also Vestries and District Boards. *Dickinson*, 1435, 1436.	Board of Trade *Dickinson*, 1436.
EMBANKMENTS, MAINTENANCE, &C. OF.	County Council. *Dickinson*, 1284–94.	- - -	County Council. *Dickinson*, 1284–94, 13,488.	——
EXPLOSIVES - -	Common Council; the Commissioners of Sewers being the rating authority. *Rotton*, 364–71; *Dickinson*, 13506–8.	Secretary of State -	County Council. *Rotton*, 364–71; *Dickinson*, 13,506–8.	Secretary of State.
FACTORIES, STRUCTURAL REGULATION OF.	County Council. *Dickinson*, 13,614–6.	- - -	County Council. *Dickinson*, 13,614–6.	——
FIRE BRIGADE - -	County Council. *Rotton*, 372; *Dickinson*, 13,506–8.	- - -	County Council. *Rotton*, 372; *Dickinson*, 13,489.	——
FOOD AND DRUGS, SALE OF.	Commissioners of Sewers	Local Government Board.	Vestries and District Board. *Dewey*, 11,407.	Local Government Board.
FLOODS, PREVENTION OF	County Council. *Dickinson*, 1284–94.	- - -	County Council. *Dickinson*, 1284–94, 13,488; *Holland*, 11,957–9.	——
GAS SUPPLY (in hands of private companies), *Rotton*, 576.	Gas examiners appointed by Corporation, referees and auditors appointed by Board of Trade. *Rotton*, 576.	Chief examiner, appointed by Board of Trade. *Rotton*, 576.	As regards the three large companies, examiners appointed by County Council; referees and auditors appointed by Board of Trade. *Rotton*, 576. As regards the four small companies, examiners appointed by Vestries and District Boards. *Dickinson*, 1207.	Chief examiner appointed by Board of Trade. *Rotton*, 576.
HACKNEY AND STAGE CARRIAGES:				
(i.) *Licensing of Carriages and Drivers.*	Commissioner of Metropolitan Police. *Rotton*, 394–9.	Secretary of State. *Rotton*, 398.	Commissioner of Metropolitan Police. *Rotton*, 394–9.	Secretary of State. *Rotton*, 389.
(ii.) *Stands for Carriages, fixing, &c.*	Commissioner of Metropolitan Police, with approval of Court of Aldermen. *Rotton*, 400–4.	- - -	Commissioner of Metropolitan Police. *Rotton*, 400–4.	——
HIGHWAYS OTHER THAN MAIN ROADS:				
(i.) *Maintenance* - -	Commissioners of Sewers. *Rotton*, 295–8.	- - -	Vestries and District Boards. *Rotton*, 302–3.	——
(ii.) *Locomotive Traffic on, &c.*	Common Council. *Rotton*, 299.	- - -	Vestries and District Boards. *Rotton*, 302–3.	County Council may make byelaws. *Harrison*, 944–7.
(iii.) *Closing for Repairs.*	Commissioners of Sewers	- - -	County Council. *Andrews*, 12,426–33; *Dickinson*, 13,525–9.	——
(iv.) *Closing or diverting permanently.*	Aldermen as justices -	Quarter Sessions -	Two justices. *Holland*, 11,990–4.	Quarter Sessions. *Holland*, 11,990–4.
HOSPITALS, PROVISION OF	Commissioners of Sewers	- - -	Vestries and District Boards, *Dickinson*, 13,531.	——
HOUSING OF THE WORKING CLASSES:				
(i.) *Unhealthy Areas* -	Commissioners of Sewers. *Rotton*, 256–62; *Harrison*, 882–7.	Secretary of State. *Rotton*, 256–62.	County Council. *Rotton*, 256–62; *Harrison*, 882–7; *Dickinson*, 13,459.	Secretary of State. *Rotton*, 256–62.

TABLE A.—AUTHORITIES SHARING THE GOVERNMENT OF LONDON—*cont.*

Purpose.	City.		Rest of London.	
	Primary.	Ultimate.	Primary.	Ultimate.
HOUSING OF THE WORKING CLASSES—*cont.*				
(ii.) *Unhealthy Dwellings.*	Commissioners of Sewers, *Rotton*, 265–75.	Secretary of State, and Local Government Board (in some cases), *Rotton*, 265–75.	Vestries and District Boards and County Council (to some extent), *Rotton*, 265–73; *Dickinson*, 13,489.	Secretary of State, and Local Government Board (in some cases), *Rotton*, 265–73.
(iii.) *Working Classes' Lodging Houses.*	Commissioners of Sewers, *Rotton*, 275 [but Corporation have also built several]. *Rotton*, 278.	- - -	County Council, *Rotton*, 276, 277; *Dickinson*, 13,489.	——
INDUSTRIAL AND REFORMATORY SCHOOLS.	Common Council; also School Board, *Dickinson*, 1315–6.	Education Department in case of School Board.	County Council; also School Board, *Harrison*, 914; *Dickinson*, 1309–14, 13,489.	Education Department in case of School Board.
INFANT LIFE PROTECTION	Common Council. The Commissioners of Sewers being the rating authority. *Dickinson*, 1430, 13,514.	- - -	County Council, *Harrison*, 889; *Dickinson*, 1430, 13,514.	——
INFECTIOUS DISEASES, NOTIFICATION OF.	Commissioners of Sewers, County Council (limited powers), *Dickinson*, 1398–1403.	Local Government Board.	Vestries and District Boards, County Council (limited powers), *Dickinson*, 1398–403.	Local Government Board.
JURY LISTS, PREPARATION OF.	Lists made out by Ward Clerk.	Lists revised by Common Councilmen and allowed by Alderman of Ward.	Lists made out by Overseers.	Lists revised by Justices.
LIBRARIES, PUBLIC. *See* PUBLIC LIBRARIES.				
LOCOMOTIVES, REGULATIONS FOR. *See* HIGHWAYS OTHER THAN MAIN ROADS (ii.) AND MAIN ROADS.				
LODGING-HOUSES, COMMON, REGULATION OF. *See* COMMON LODGING HOUSES.				
LODGING HOUSES FOR WORKING CLASSES. *See* HOUSING OF THE WORKING CLASSES (iii.).				
LUNATIC ASYLUMS -	Common Council, *Rotton*, 445–53; *Harrison*, 868–73, 916–29.	- - -	County Council. *Rotton*, 449–54; *Harrison*, 868, 914–41; *Dickinson*, 13,489.	——
MAIN ROADS (including Tramway and Locomotive Traffic on).	County Council, but if Common Council claim to retain the control the Commissioners of Sewers shall perform the duties and the County Council shall contribute, *Rotton*, 310–5.	- - -	County Council, but if any Vestry or District Board claims to retain control the County Council shall contribute. *Rotton*, 310–5.	——
MAIN SEWERS - -	County Council, *Rotton*, 245–7; *Harrison*, 864, 946–50.	- - -	County Council. *Rotton*, 245–7; *Harrison*, 864, 946–50; *Dickinson*, 13,488.	——
MARKETS - - -	Corporation. *Rotton*, 435; *Harrison*, 855; *Dickinson*, 13,534–7.	- - -	County Council (inquiries only). Corporation has, by charter, monopoly of markets within 7 miles of City, but has consented to establishment of two (private) markets within that area, and others have been established by Statute. *Rotton*, 436; *Dickinson*, 13,534–7. Corporation has established foreign meat market for all London at Deptford. *Harrison*, 855.	——
MEDICAL OFFICERS OF HEALTH. *See* SANITARY ADMINISTRATION AND CONTROL.				
METROPOLITAN COMMONS AND OPEN SPACES. *See* COMMONS AND OPEN SPACES.				
METROPOLITAN FIRE BRIGADE. *See* FIRE BRIGADE.				
METROPOLITAN GAS SUPPLY. *See* GAS SUPPLY.				

TABLE A.—AUTHORITIES SHARING THE GOVERNMENT OF LONDON—*cont.*

Purpose.	City.		Rest of London.	
	Primary.	Ultimate.	Primary.	Ultimate.
METROPOLITAN POLICE. *See* POLICE.				
METROPOLITAN WATER SUPPLY. *See* WATER SUPPLY.				
MORTUARIES. *See* CEMETERIES (ii.).				
MUSIC AND DANCING LICENCES.	County Council. *Dickinson*, 1415–9.	- - -	County Council. *Dickinson*, 1415–9.	——
MUSIC HALLS, LICENSING OF. *See* THEATRES.				
OFFENSIVE TRADES, LICENSES TO ESTABLISH.	Commissioners of Sewers. *Dickinson*, 1428, 1429, 13,510–3.	- - -	County Council. *Dickinson*, 1426, 1427, 13,510–3.	——
OPEN SPACES. *See* COMMONS AND OPEN SPACES.				
OVERHEAD WIRES -	County Council (framing of byelaws), Commissioners of Sewers (enforcement). *Dickinson*, 1404.	- - -	County Council (framing of byelaws and enforcement in default of vestries, &c.). *Dickinson*, 1404–12.	——
PARKS - - -	[None in City, but City contributes to expenditure incurred by County Council outside. *Harrison*, 907.]	- - -	County Council. *Harrison*, 907; *Dickinson*, 1295–1308, 13,489. [The Royal Parks are under the Commissioners of Works.]	——
PETROLEUM - - -	Common Council, the Commissioners of Sewers being the rating authority. *Rotton*, 364–71; *Dickinson*, 13,508, 13,509.	Secretary of State	County Council. *Rotton*, 364–71; *Dickinson*, 13,508, 13,509.	Secretary of State.
POLICE COURTS - -	Corporation. *Rotton*, 112–8.	- - -	Buildings provided by Office of Works, salaries of magistrates, clerks, &c., paid from Imperial funds. *Rotton*, 170–8.	——
POLICE FORCE - -	Commissioner of City Police, appointed by Corporation. *Rotton*, 92; *Monckton*, 2587–605.	Secretary of State. *Rotton*, 93–8; *Monckton*, 2857–605.	Commissioner of Metropolitan Police appointed by Secretary of State. *Rotton*, 121, 122.	Secretary of State, *Rotton*, 121, 122.
POLLUTION OF RIVERS, PREVENTION OF (duties nominal).	County Council (except as regards Thames and Lee (Conservancy)). *Dickinson*, 1027–9, 1448–51.	- - -	County Council (except as regards Thames and Lea (Conservancy)). *Dickinson*, 1027–9, 1448–51.	——
PREVENTION OF FLOODS. *See* FLOODS, PREVENTION OF.				
PUBLIC LIBRARIES -	Common Council. *Rotton*, 418–23.	- - -	Commissioners appointed by Vestries and District Boards adopting Act. *Rotton*, 431, 432.	——
RACECOURSES, LICENSING OF.	(None in City) County Council. *Dickinson*, 1420–5.	- - -	County Council. *Dickinson*, 1420–5. These powers extend beyond the limits of the county.	——
RATING. *See under* RATES and RATING AUTHORITIES in General Index.				
REFORMATORY AND INDUSTRIAL SCHOOLS. *See* INDUSTRIAL AND REFORMATORY SCHOOLS.				
REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES.	Guardians. *Dickinson*, 13,532–4.	Registrar - General and Treasury. *Dickinson*, 13,532–4.	Guardians. *Dickinson*, 13,532–4.	Registrar - General and Treasury. *Dickinson*, 13,532–4.
REGISTRATION OF VOTERS	I. *Local Government and Parliamentary.* Secondary sends precepts to overseers and clerks of companies. II. *City Corporation and School Board Voters.* Lists prepared by Alderman and Common Councilmen of each Ward. III. *Common Hall Voters.* Secondary prepares list.	Revising Barrister, with appeal on questions of law to Queen's Bench Division of High Court.	*Local Government and Parliamentary.* High Bailiffs of Westminster and Southwark and Returning Officers of other Parliamentary boroughs send precepts to Overseers.	Revising barrister with appeal on questions of law to Queen's Bench Division of High Court.

TABLE A.—AUTHORITIES SHARING THE GOVERNMENT OF LONDON—*cont.*

Purpose	City. Primary.	City. Ultimate.	Rest of London. Primary.	Rest of London. Ultimate.
RIVERS, POLLUTION OF. *See* POLLUTION OF RIVERS.				
ROADS, MAIN. *See* MAIN ROADS.				
ROADS OTHER THAN MAIN ROADS. *See* HIGHWAYS OTHER THAN MAIN ROADS.				
SANITARY ADMINISTRATION AND CONTROL: (*a.*) *Generally.* (i.) For City and outside.	Commissioners of Sewers, with appeal to Aldermen in Quarter Sessions. *Rotton*, 182–9.	Local Government Board (in some matters only). *Rotton*, 193–8.	Vestries and District Boards, and Local Board of Woolwich, *Rotton*, 213.	County Council and Local Government Board. *Rotton*, 222.
(ii.) For Customs Port of London.	Corporation. *Rotton*, 199–203.	- - -	Corporation. *Rotton*, 199–203.	——
(*b.*) *Payment of half salary of Medical Officers of Health.*	County Council. (Rest by Commissioners of Sewers.) *Dickinson*, 1376–9.	- - -	County Council. (Rest by Vestries and District Boards.) *Dickinson*, 1376–9.	——
SEWERS, MAIN. *See* MAIN SEWERS.				
SEWERS OTHER THAN MAIN SEWERS.	Commissioners of Sewers. *Rotton*, 231.	- - -	Vestries and District Boards. *Rotton*, 233.	County Council. *Dickinson*, 1456.
SHOP HOURS ACT, 1892, ENFORCEMENT OF.	Common Council. *Dickinson*, 1447, 13,524.	- - -	County Council. *Dickinson*, 1447, 13,524.	——
SKY SIGNS -	Commissioners of Sewers	- - -	County Council. *Longstaff*, 14,043–59.	——
SLAUGHTER HOUSES, LICENSING OF.	Commissioners of Sewers. *Dickinson*, 1428–9.	- - -	County Council. *Dickinson*, 1426–7, 13,496–505.	——
SMALL HOLDINGS ACT, 1892, ADMINISTRATION OF.	- - - -	- - -	County Council. *Dickinson*, 1338–53, 13,489.	——
SMOKE PREVENTION -	Commissioners of Sewers	Local Government Board.	Vestries and District Board. *Holland*, 11,974; *Dickinson*, 13,513–4.	County Council can act in default. *Dickinson*, 13,514, 13,515.
STAGE CARRIAGES. *See* HACKNEY AND STAGE CARRIAGES.				
STREET IMPROVEMENTS -	(i.) Commissioners of Sewers under Michael Angelo Taylor's Act, 1817, and Sewers Act of 1848 and 1851. *Rotton*, 477–81.	Consent of Justices in Quarter Sessions required for stopping roads, &c. *Rotton*, 496–507.	(i.) County Council under Act of 1855. *Rotton*, 508–9	——
	(ii.) Common Council, under London City Improvements Act, 1847, and private Acts. *Rotton*, 490.	- - -	(ii.) Vestries and District Boards under Michael Angelo Taylor's Act, 1817. *Rotton*, 510–12.	——
	(iii.) County Council under Act of 1855, *Rotton*, 508–9.	——	——	——
STREETS, NAMING AND NUMBERING OF.	County Council, *Dickinson*, 1412, 1413.	- - -	County Council. *Dickinson*, 1412, 1413, 13,611; *Longstaff*, 13,733–44.	——
SUBWAYS - -	County Council. *Dickinson*, 1456.	- - -	County Council. *Dickinson*, 1456.	——
TECHNICAL EDUCATION -	County Council. *Dickinson*, 1067–70; *Leete*, 13,257–92.	- - -	County Council. *Dickinson*, 1067–70; *Leete*, 13,257–92.	——
THEATRES AND MUSIC HALLS, LICENSING OF, &c.	*Licensing*— Theatres, Lord Chamberlain; Music Halls, County Council. *Dickinson*, 1415–25.	- - -	*Licensing*— Theatres, Lord Chamberlain in Westminster, Finsbury, Marylebone, Tower Hamlets, and Southwark, County Council in rest of London; Music Halls, County Council. *Dickinson*, 1418–25.	——
	Structural Regulation— County Council. *Dickinson*, 1415–25; *Longstaff*, 13,766.	- - -	*Structural Regulations*— County Council. *Longstaff*, 13,766.	——

TABLE A.—AUTHORITIES SHARING THE GOVERNMENT OF LONDON—*cont.*

Purpose.	City.		Rest of London.	
	Primary.	Ultimate.	Primary.	Ultimate.
TRAMWAYS:				
(i.) *On Main Roads* -	County Council. *Rotton*, 307–8.	- - -	County Council. *Rotton*, 307–8.	——
(ii.) *On Highways other than Main Roads.*	Common Council. *Rotton*, 405.	- - -	County Council and Vestries and District Boards as road authorities. *Rotton*, 406–15; *Dickinson*, 13,489.	Board of Trade, *Rotton*, 416.
UNHEALTHY AREAS. *See* HOUSING OF THE WORKING CLASSES. (i.)				
UNHEALTHY DWELLINGS. *See* HOUSING OF THE WORKING CLASSES. (ii.)				
VACCINATION ACTS, ADMINISTRATION OF.	Guardians. *Dickinson*, 13,531, 13,532.	Local Government Board, *Dickinson*, 13,531, 13,532.	Guardians. *Dickinson*, 13,531, 13,532.	Local Government Board. *Dickinson*, 13,531, 13,532.
WASHHOUSES. *See* BATHS AND WASHHOUSES.				
WATER SUPPLY: (in hands of private companies.)				
(i.) *Constancy of Supply.*	Corporation. *Rotton*, 316–25.	Local Government, Board, *Rotton*, 316–25.	County Council. *Rotton*, 316–25; *Dickinson*, 13,491.	Local Government Board, *Rotton*, 316–25.
(ii.) *Purity* - -	Examiner appointed by Local Government Board. *Rotton*, 326.	- - -	Examiner appointed by Local Government Board, *Rotton*, 326.	——
(iii.) *Accounts of Companies.*	Auditor appointed by Local Government Board, with appeal to arbitrator. *Rotton*, 326.	- - -	Auditor appointed by Local Government Board, with appeal to arbitrator, *Rotton*, 326.	——
WEIGHTS AND MEASURES ACT, 1889, APPOINTMENT OF INSPECTORS UNDER (SALE OF COAL, &c.).	Common Council, Commissioners of Sewers being rating authority. *Harrison*, 897, 942; *Dickinson*, 951–64, 13,514–24.	- - -	County Council. *Harrison*, 897; *Dickinson*, 951–64, 1445, 13,514–24.	——
WORKING CLASSES, HOUSING OF THE. *See* HOUSING OF THE WORKING CLASSES.				
WORKING CLASSES' LODGING HOUSES. *See* HOUSING OF THE WORKING CLASSES. (iii.)				

TABLE B.

Qualifications of Electors and Candidates for different Public Offices, &c. in London.

Qualifications of Electors.	Qualifications for Candidates.	Term of Election.
1. *Members of Parliament for London Boroughs.*		
The Electors are— *Males of full age who are—* 1. 10*l.* *occupiers*, viz., occupiers as owners or tenants, sole or joint, for 12 months preceding the 15th July in any year, of any *land or tenement* (*e.g.*, shop) *within the borough of a clear yearly value of not less than* 10*l.*, or 10*l.* for each occupier. They must have resided in the borough, or within seven miles (City of London 25 miles) of its boundary, for the preceding six months. They, or someone else, must during the preceding 12 months have been rated for the poor in respect of the said land or tenement, and must have paid by the 20th July all assessed taxes and poor rates due by them up to the 5th January. The successive occupation of two or more premises in the same borough qualifies. 2. *Householders*, viz., inhabitant occupiers as owners or tenants for 12 months preceding the 15th July in any year of *any dwelling-house*—including any part of a house separately occupied as a dwelling—*within the borough*, irrespective of its value. They must be resident on the premises, have been rated for the poor in respect of the premises, and all poor rates due up to the 5th January must have been paid by the 20th July. Joint occupancy does not qualify. The successive occupation of two or more premises in the same borough qualifies. *Servants* are regarded as inhabitant occupiers in cases where their employers do not inhabit the house, though the rent or rates may be paid by their employers. (*Note.*—A servant is in law not in occupation, and could not maintain trespass.) 3. *Lodgers*, viz., inhabitant occupiers, sole or joint, for the 12 months preceding the 15th July of any year of lodgings in the same house within the borough of the clear yearly value, if let unfurnished, of not less than 10*l.*, or 10*l.* for each occupier. Residence is required; removal from one house to another disqualifies. 4. *In City only.—Liverymen* of the City Companies who are freemen and reside within 25 miles of the City.	Males of full age.	Maximum of seven years
2. *London County Councillors.*		
Ratepayers (*male and female*) *viz.*:— Occupiers of buildings of any value, or land of the annual value of 10*l.*, who are rated to the relief of the poor, and are resident within 15 miles of the county. Lodgers are not qualified. To be placed on the register of voters a person must have occupied the premises in respect of which the claim is made for 12 months before the preceding 15th July, and all rates must have been paid up to the 20th July.	Persons (i.) qualified to be electors; (ii.) possessed of real or personal property to the value of 1,000*l.*; or (iii.) rated to the poor rate on the annual rateable value of 30*l.* No property qualification is required if the person actually resides within the County of London, but in this case his seat will be vacated if at any time he ceases for six months to reside within the county. Peers owning property in the county, and Parliamentary voters registered in respect of the ownership of property in the county, are qualified to be county councillors, and clerks in holy orders and other ministers of religion are not disqualified by their profession.	Three years (the whole Council retiring every three years).
3. *London Vestrymen.*		
[*Before Act of* 1894:— *Ratepayers, viz., persons who had been rated in respect of the parish* (*or ward*) *to the relief of the poor for one year next before the election, and had paid all parochial rates, taxes, and assessments due more than six months before the date of the election, and had not been in receipt of poor relief for one whole year.*]	[*Persons occupying a house or lands in the parish, and assessed to the poor rate at not less than* 40*l. a year. Where the poor rate assessments of* 40*l. or more did not exceed one-sixth of the whole number, the rating qualification was reduced to* 25*l.*]	[*Three years* (*one-third retiring every year*).]
Under Act of 1894:—	Any British subject, male or female, of full age who is a parochial elector of the parish, or has for 12 months preceding the election resided in the parish, and (i.) has not within 12 months of his election, or since it, received union or parochial relief; (ii.) has not within five years of his election or since it, (*a*) been sentenced on conviction to imprisonment with hard labour, or any greater punishment, and has not received a free	Three years (one-third retiring every year)
(*District Councillors.*)		
Parochial Electors, viz., the Parliamentary and the Local Government (County Council) electors for the parish, including married women, provided that a husband and wife shall not be qualified in respect of the same property [each elector has one vote for each vacancy].		

TABLE B.—QUALIFICATIONS OF ELECTORS AND CANDIDATES—*cont.*

Qualifications of Electors	Qualifications for Candidates.	Term of Election.
	pardon; (*b*) been adjudged bankrupt, or made a composition or arrangement with his creditors; (iii.) does not hold any paid office under the vestry; (iv.) is not concerned in any contract entered into with the vestry (with certain exceptions).	
4. *District Boards, Members of.*		
The vestries of the parishes united into the district.*	Any person qualified to be a vestryman.*	Three years* (one-third retiring every year).
5. *London Guardians of the Poor.*		
[*Before Act of* 1894 :— (i.) *Owners, resident or not, claiming before the 1st February in any year.* (ii.) *Occupying ratepayers (including women), as for vestrymen.* *Plural voting up to maximum of six votes.*]	[*Any person, male or female, of full age, rated at 5l. a year.*]	[*Three years (one-third retiring every year), but the Local Government Board has power to order, with the consent of the majority of the owners and ratepayers, that all should retire at once.*]
Under Act of 1894 :— Parochial electors as above [each elector has one vote for for each vacancy].	Any person (including married women) who is a parochial elector of some parish in the union, or has been resident in the union for the whole of the 12 months preceding the election, and is not disqualified as above (*see* London vestrymen).	Three years (one-third retiring every year, except in cases where the Local Government Board has ordered that all shall retire at once; but the County Council may, on the application of a board of guardians, direct that all shall retire at once; or in cases where they do so retire already, that one-third shall in future retire annually).
6. *London School Board, Members of.*		
In City.—Voters for Common Councilmen and Aldermen. *In rest of London.*—Ratepayers, including women, as for vestrymen. Voting cumulative.	Any person, male or female, of full age.	Three years (the whole Board retiring together.)
7. *Lord Mayor of London* (in Common Hall).		
Such liverymen of the City Companies of at least one year's standing as are free of the City, and have paid their livery fines, select two, of whom the Court of Aldermen elect one.	Aldermen who have served as Sheriff.	One year.
8. *Aldermen in the City.*		
Males of full age who are— Voters on the Parliamentary register for the City, including 10*l.* occupiers of buildings, inhabitant occupiers of dwelling-houses, lodgers, and servants, but not liverymen who are freemen, as above, and not 10*l.* occupiers of land.† Persons who, if resident, would have been on the Parliamentary register as occupiers of any house, warehouse, counting-house, office, chambers, shop, or other building, but do not reside within the prescribed limits. The right of voting is confined to the ward in which the qualifying premises are situated.‡	Freemen of the City.	Life.
9. *Common Councilmen in the City.*		
Males of full age who are— Voters on the Parliamentary register for the City, including 10*l.* occupiers of buildings, inhabitant occupiers of dwelling-houses, lodgers and servants, but not liverymen who are freemen, as above, and not 10*l.* occupiers of land.† Persons who, if resident, would have been on the Parliamentary register as occupiers of any house, warehouse, counting-house, office, chambers, shop, or other building, but do not reside within the prescribed limits. The right of voting is confined to the ward in which the qualifying premises are situated.‡	Freemen in the occupation of premises within the ward for which they stand rated at 10*l.*, and on the Parliamentary register for the City. [Also (probably) freemen who are householders of a ward, paying scot and bearing lot.]	One year.

* No change effected by the Act of 1894.

† Sections 3 and 4 of 30 Vict. c. 1. refer only to persons on the Parliamentary register *in respect of the occupation of any house, &c.*

‡ It is difficult to see who gets on to the register under this provision. Section 2 of this Act does not require residence. The 12 months' occupation must be prior to 1st December under section 2 of this Act, and prior to 15th July in the case of the Parliamentary franchise, a difference which might affect a few.

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